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The Shape of Things

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THE SENATE WILL HAVE FIRST CRACK AT THE judiciary bill, and hearings have been set for March 9. This means that we shall have at least another month, and perhaps several months, of the Great Debate on the judiciary. This should surely convince all those who have been talking as if a coup d'etat might momentarily be expected that no action is contemplated except through that most democratic of democratic procedures—interminable public discussion. Meanwhile it is becoming clearer that the labor, farmer, and progressive sentiment of the country is supporting the proposal. The Lewis and Green forces have for once found something on which to agree. The farmers' organizations are behind the measure, with the exception of the reactionary Grange. The group of liberals organized as the National Committee for Clarifying the Constitution by Amendment have come out in support of the proposal as the best course until an amendment is ratified. The leading progressive educators of the country are supporting the President. In the light of this unmistakable cleavage between the progressive forces and the propertied minority, it is difficult to see how a progressive like Senator Wheeler not only attacks the measure, but uses exactly the arguments of the tory editorials.

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LOYALIST FORTUNES SHONE BRIGHTER IN Spain last week as a result of developments on the diplomatic and military fronts. An agreement definitely to ban foreign volunteers seems finally to have been reached. If the ban is really enforced it will be a great victory for Spain's democratic forces, for the "volunteers" have chiefly been Germans and Italians, conscripted by their government to help the Spanish fascists. Whether it is enforced will depend on the sort of patrol that is contrived for Portugal. A patrol of the Portuguese ports, with English officials included, has a chance of effectiveness. But if a handful of men try to patrol the long land frontier between Portugal and Spain, it will be worse than useless. The most recent reports that the Non-Intervention Committee has agreed upon 130 British border-patrol guards leaves us skeptical of the success of the attempt. On the military front the Loyalists have met and repulsed the most savage attacks of the war. Tens of thousands of Germans, the picked troops of Europe, have been beaten back on the Valencia-Madrid road. The undisciplined loyalist militia of the early days of the war have evidently been forged into an army of hardened fighters.

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THE NAMING OF PAUL V. McNUTT, ONCE American Legion commander and recently governor of Indiana, as High Commissioner to the Philippines, completes an unholy triumvirate that will rule the islands. The other two are President Manuel Quezon, now on a visit here, and his military adviser, General Douglas MacArthur. It is understood in Washington that McNutt's appointment is only for a year. He has his eye on bigger game than the Philippines post, and is biding his time like a proconsul waiting to return to Rome. His biggest stumbling-block thus far has been the lack of affection between Jim Farley and himself. *The Nation* will publish in early issues several articles dealing with the Quezon regime and with economic and social conditions in the Philippines.

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CHINA MOVED A STEP NEARER TO FORMING a popular front against Japanese aggression when the plenary session of the Kuomintang voted tentatively to abandon its ten-year campaign against the Chinese communist armies. More than a year ago the communists offered to place their armies under the control of Nanking and to abandon the soviet system in their territories if Nanking would form a genuinely representative government, guarantee civil rights, and oppose Japanese aggression. Reactionary elements in the Kuomintang have done everything in their power to prevent the acceptance of this offer. The kidnapping of Chiang Kai-shek early in December is now seen to have been a spontaneous last-minute development designed to head off a coup by these Chinese fascist forces. After Chiang's release the fascists sought to persuade him to go back on the commitment he made at Sian. It remains to be seen whether they will now follow General Franco's example and revolt against the new Popular Front.

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PLANS FOR ORGANIZING STEEL ARE BEING advertised by the C. I. O. with a frankness that must be disconcerting to the owners. "Let the public be informed," seems to be its watchword. In a period when the right to bargain collectively is enjoying unwonted prestige, this is eminently sound policy. The Amalgamated Association of Iron, Steel and Tin Workers will need an informed public opinion at its back in the next few months. Meanwhile the sitdown is developing both as a technique and an issue. As a technique it puts the onus of armed violence on the owners and elected authorities—and the latter point is especially important when the key official has been elected by labor's votes. Governor Horner, in dealing with the sitdown at Waukegan, Illinois, has thus far followed the very sensible lead of Governor Murphy and has refused to order the militia to empty the Fansteel plant by force. As a legal issue the sitdown cannot be solved by injunctions. Like the automatic worker it is the outgrowth of the prevailing mode of production. It is becoming increasingly clear that its legal status cannot be determined, for practical purposes, according to the simple horse-and-buggy concept of private ownership.

GREAT BRITAIN'S FIVE-YEAR ARMAMENTS plan calls for the expenditure of $1,500,000,000 a year for five years—one-fifteenth of its national income—in a mad race to outdo Hitler at his own game. This is not only three times the amount Britain spent on armaments five years ago, but is approximately equal to the combined armament expenditures of England, France, Italy, Germany, Poland, and Belgium in 1931. Strangely enough, the largest outlay is on the navy, where Britain is already supreme except for the United States. It will be matched, according to Admiral Leahy, by a similar program on our part, and the Japanese militarists are already clamoring for bigger budgets. Meanwhile the world is asked to wait until Britain is "rearmed' before it can accept its everyday responsibilities in a system of collective security. But a hundred battleships cannot make up for the statesmanship and prestige that Britain lost in the Manchurian, Ethiopian, and Spanish controversies.

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ITALY IS NOW GROOMING CORSICA FOR THE role of a new Abyssinia. Since the island belongs to France, Mussolini's tactics have to be somewhat more subtle than in the African adventure. The pen, in this case, is mightier than the gas bomb. The Ministry of the Press is conducting an active campaign of irredentist propaganda directed toward arousing annexation sentiment in Italy and anti-French sentiment in Corsica. From the French weekly *Lumière* we learn that several "Corsican culture Centers" have been established in Milan, Turin, and other cities for the purpose of giving lectures, publishing pamphlets, and holding exhibitions which demonstrate that geographically, ethnographically, and in every other way Corsica belongs to Italy. Also the *Telegrafo,* a newspaper widely circulated in northern Italy, now publishes a daily Corsican edition which it distributes all but free in the island. Editorials flame with a pseudo-Corsican nationalism; Napoleon, the Little Corsican, is acclaimed as a dictator in the great Roman tradition from Julius Caesar to Il Duce; and the whole bristles with attacks on the French administration.

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MR. HAYS: "WHY, YOUR HONOR, I DEMANDED that the police arrest me, but instead they kept shoving me around. They let me picket alone finally when I persisted and whether my legal position is different from that of a seaman I don't know, but they apparently felt that it wouldn't be wise either to shove me out of Jersey City or arrest me." THE COURT: "That was probably because you had the American flag wrapped around you." MR. HAYS: "You bet I did. I need it in Jersey City." This is part of the testimony in a plea to the United States District Court of New Jersey to enjoin Mayor Hague and the Jersey City police from forcibly breaking up picket lines during the seamen's strike. Arthur Garfield Hays, attorney for the American Civil Liberties Union, contended that the only legal course open to the police was to arrest the picketers and submit to a court test their right to be there. Refusing to arrest them and instead

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"escorting" them out of the city was clearly a lawless action. Counsel for the city contended that the picketers, including Mr. Hays, were "undesirable" because they were connected with an "unlawful movement," namely, communism. Judge Clark told the city's counsel that his position was "untenable," that "you cannot take the position that . . . any citizen, I don't care who he is, cannot come to Jersey City"; and agreed with Mr. Hays that whether any movement was unlawful "was a matter for the court and not for your police." Since Mayor Hague has long used the bum's rush tactics on picketers in order to protect runaway firms which come to Jersey City to avoid keeping their labor agreements in New York, it is particularly gratifying to see the law catch up with him.

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WE HAVE LOST OUR ANCESTORS' ABILITY TO swing gaily through the trees and we have gained nothing but mental decrepitude in its place. So says Dr. Hooton, professor of anthropology at Harvard and president of the American Association of Physical Anthropologists. In an address entitled "Apology for Man" he states that there has been a distinct decline in the national intelligence because of the mess we have made of biological control. By prolonging our span of life we have preserved the unfit in society and increased the proportion of the immature and the senile. Thus all our vaunted scientific achievements have simply resulted in lowering the level of the average intelligence. Now this has more than a purely biological significance. Note well Dr. Hooton's conclusion; "Since the senile are not denied a voice in the government, we may expect ever-increasing social ructions as a result of senile decay dominating over dementia praecox." Which, as a statement of the opposing sides in the present Supreme Court struggle, seems to us rather hard on both.

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ON THE CURRENT LISTS OF NON-FICTION best-sellers "Live Alone and Like It" has been running nip and tuck with "How to Make Friends and Influence People." In other words while Marjorie Hillis is turning thousands into contented hermits, Dale Carnegie is turning them back into hail-fellows again, and thus the balance of nature is maintained. It is all very well to urge, as Mr. Carnegie does, that we should always talk about what interests our companion, not about what interests us; that we must let the other fellow do the talking, etc., etc. But what happens when two of his enthusiastic pupils meet? Does a dead silence fall? Does each talk so loud about the interests of the other that neither can be heard? Or is there a point at which a disciple would actually rather practice the system than express himself; so that the height of tact consists in letting him cultivate our egotism to his heart's content? It is a nice point, which Mr. Carnegie never touches upon. Of course, there remain the less subtle tactics of the Hollywood actor who felt that he had been boasting too much. "Tell me about yourself now. How did *you* like my last picture?"

The Nation's Food Ship

REPUBLICAN Spain needs food. Meat, flour, eggs, condensed milk, dried fish, beans. . . . Day after day through the news dispatches runs the theme of hunger, of the need for bread, sugar, milk. Thousands of noncombatants have been evacuated from Madrid but other thousands have poured in from surrounding villages emptied and destroyed by civil war. They need food desperately. Valencia has been ordered to go without bread for two days so that its usual supply might be sent to Almeria to feed thousands of refugees from Malaga.

Noncombatants and refugees are unarmed. Yet women and those too old or too infirm to fight must pass through shell fire to get food for their children and themselves. On a day in January a machine-gunner in a rebel plane flying over Madrid "turned his deadly spray of bullets straight into a long line of women who had stood patiently for hours waiting for their turn to enter a butcher shop. Several of them were wounded and some perhaps are now dead." Even children have not been spared. Norman Bethune, a Canadian doctor, saw the flight from Malaga, when 150,000 men, women, and children set out over a single road to walk a hundred miles to safety while German and Italian airplanes dropped bombs on that procession of human despair. At the little town of Almeria, where the refugees paused, thinking they were safe, ten bombs fell into their midst. "After the planes passed," said Dr. Bethune, "I picked up three dead children from the pavement where they had been standing in line waiting for a cup of preserved milk and a handful of dry bread, the only food some of them had for days."

"Some perhaps are now dead." The others are forming other lines, while the supply of meat in the butcher shops dwindles, while bread grows scarcer, and little children wait for milk that never comes. In Spain one segment of humanity is passing through inhuman agonies of hunger and fear. The rest of us cannot do less than keep flowing that thinning stream of food that maintains life and proclaims the continuity of simple human charity. The Spanish mother who stands in line though the skies rain bullets must find food at the end of the queue. She must not go back empty-handed, through broken streets, to a hungry child.

The Nation's Food Ship is our answer to Spain's need. We appeal to every American man and woman who has more than enough to eat, to every parent whose children are rosy-cheeked and without fear, to help us send food to the innocent women and children and old people of republican Spain. *The Nation* guarantees delivery. It also guarantees that the money collected will be used exclusively for food supplies for noncombatants.

Through a news dispatch or a photograph every American in the past few months has come face to face, in at least one horrified and compassionate moment, with the human tragedy that fills the hours and the days and the months in Spain. A check made out in the name of human fellowship will fill an empty Spanish plate and put fresh courage in a weary Spanish heart.

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How to Stay Out of War

THE past two years have witnessed a greater change in American thinking on the question of war than any other similar period in our history. Instead of adopting a more or less fatalistic attitude such as preceded our entry into the last conflict, the American people have demanded positive action to prevent a repetition of the 1917 disaster. The investigations of the Nye committee have dramatized the hidden forces which led us into war, and we are resolved that we shall not be trapped by them again.

For the moment, at least, the chief hope of peace advocates centers around a revision of our traditional neutrality policy, which failed to protect us in 1917. There are three basic conceptions of what the new neutrality should be like: (1) The old-time isolationists, as represented by Senators Borah and Johnson, insist on a strict enforcement of our neutral "rights," especially the freedom of the seas; (2) the Nye isolationists would cut off all American commercial relationships with belligerents except those that could be managed on a "cash-and-carry" basis; and (3) the groups which Quincy Wright has dubbed the "cooperationist neutrals" desire a restriction in trade with belligerents but are troubled lest too drastic measures involve us in difficulties greater than those we are seeking to avoid.

OUR PEACE PLAN

1. *A mandatory embargo should be imposed on munitions, basic war materials, loans, and credits to belligerents.*

2. *The President should be empowered to lift these restrictions, except the embargo on munitions, in case the majority of signatories of the Kellogg pact find that a country has been attacked in violation of that pact.*

3. *Munition industries should be nationalized, and the Nye proposals for limiting war profits passed.*

4. *Our national-defense policy should be revised to provide only for the protection of the continental United States, with an understanding that the roots of our present policy lie deep in the inequalities of our social and economic structure.*

The immediate struggle in Congress has been between groups two and three, although a compromise between the two was reached last week. Both the Nye-Clark-Bone-Vandenberg bill, for example, and the Pittman bill—which has been reported out to the Senate—contain identical sections imposing a mandatory embargo on arms, ammunition, and implements of war for belligerents. Public opinion has been educated to the point where it will not tolerate merchandising in death, no matter what the pretext. Both measures are alike, moreover, in prohibiting loans and credits to warring countries, though both leave what would seem to be a crucial loophole in permitting ordinary commercial credits at the discretion of the President. It seems to be generally forgotten that loans were also prohibited at the outset of the World War, and that the ban was only removed when credits to Europe became so large as to constitute an important vested interest.

The crux of the Nye measure, now incorporated in the Pittman bill as reported to the Senate, is in a section which would divest American citizens of all right or title to goods of any character shipped to any of the belligerents. Goods could not leave the United States except in foreign vessels and under foreign ownership. This is not strictly an isolationist proposal since it would permit trade with such belligerents as were able to maintain control of the seas as long as they were able to pay in gold or goods. Thus it might easily lead to the creation of a vested interest in the victory of the country that dominated the seas, especially since there could be no troublesome controversy over neutral rights such as marred our relations with England in 1915-16. It is doubtful whether an embargo could be maintained if it interfered with the profit-making opportunities of an important section of the population. And it is even more doubtful whether it could keep us out of war. For it assumes that America's only stake in the social and political struggles which are prostrating large portions of the world is that of trade. A more naive distortion of the doctrine of economic determinism would be difficult to imagine. Trade and loans are important economic factors, but they are only two of a half-dozen similar influences which lie at the root of international conflicts.

The Pittman bill leaves to the discretion of the President the question of embargos on cotton, oil, scrap iron, and other materials necessary to the successful conduct of war, but does not empower the Executive to impose or lift restrictions on one of two parties in a conflict. In practice this probably means that no embargo will be imposed in a major war, since the President is far from unaffected by pressure of business interests and since any action might offend one of the two participants in the struggle.

We find both bills almost equally unsatisfactory. We believe that the best chance of averting war lies in the creation of a mechanism for enforcing collective security. The League cannot build a system of collective law as long as it is being constantly sabotaged by the United

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States. The fiasco over oil sanctions in the Ethiopian conflict was partly due to the greed of English capitalism and partly to the timidity of the League statesmen. But that timidity was increased by the knowledge that President Roosevelt lacked the power to cooperate. In the world as it is today an inflexible neutrality serves notice to the fascist powers not only that we shall fail to oppose aggression, but that we shall hinder the nation attacked from obtaining the supplies it could normally expect under international law. There can thus be no hope of preventing war unless the President is given authority either to impose a one-sided embargo on nations which violate the Kellogg pact or to raise the general embargo from states which the majority of signatories of the pact find to be victims of aggression.

But neutrality of any sort is likely to prove more of a liability than an asset if it lulls the American people into a false feeling of security. War is not a disease which is bred in foreign countries and smuggled surreptitiously into this country by bolshevik or fascist agents. Its germs may be found implanted in our social and economic structure. We can clean up one source of infection by adopting Senator Nye's plan for the nationalization of the munitions industry, and an even more threatening one by accepting his program for a drastic limitation of war profits. But the primary source of contamination lies still deeper. Our Far Eastern and Latin American policies are unmistakably imperialistic and must ultimately lead us into war irrespective of neutrality legislation. A shift in our armament policy which would adapt it solely to purposes of defense would ease national frictions and lessen the burden on American taxpayers. But it will not be undertaken as long as our overseas interests remain undisturbed. In the last analysis the best way to stay out of war is to put our own house in order.

The Education of Governor Hoffman

THE statement of Harold Hoffman, governor of New Jersey, that he will put down by force of arms any attempt of the C. I. O. to unionize the workers of New Jersey, represents a political move whose brazenness is surpassed only by its ignorance of the world today. The fantastic character who now rules New Jersey says that if organized labor attempts to gather the workers in rubber, automobiles, airplanes, silk and textiles into unions of their own choice, he will meet them by bloodshed if necessary. Hoffman is enheartened in his stand by the activities of his supposed Democratic opponent but in reality his ally, Frank Hague, labor-baiting boss of Jersey City and the "Hook" district generally. But when he fulminates against the newly formed Northern New Jersey Council for Industrial Organization he is taking on a large order. This Council is no overnight project. Long years of labor experience are behind its formation. Even the hard-boiled craft unions of Jersey favor this step toward the organization of labor. And once it is under way it will take more than the cohorts of the martial-minded chief of New Jersey to break its ranks. Governor Hoffman is in for some education.

Throughout the literate sections of New Jersey, Hoffman's statement is regarded as a bid for his candidacy for the Republican Presidential nomination in 1940. His activities in the Hauptmann trial came to naught as far as his Vice-presidential possibility in the last election was concerned. Now he tries the Coolidge "law and order" formula. He is counting on the defection of conservative Democrats from the Roosevelt ranks. He is simple enough to believe that with the help of Hague and other eastern reactionaries he may sweep the Republican convention three years from now on the ground that he is the Protector of Private Property.

But whatever Hoffman's private ambitions may be, labor in 1937 is not the docile movement it has been under Green and Frey. The rank and file are resolved to go to town these days no matter how much the capitalist politicians may thunder away at them. Hoffman has a lot to learn if he thinks he can stand up, like King Canute before the tide, and cry stop to the C. I. O. New Jersey's large German population is sown with Nazi sentiment to which the Governor is not entirely unsympathetic. It may be that out of this sympathy has grown his taste for government by ukase but he will have to learn that such tactics cannot be effective. He will have to learn that the force driving labor toward organization is more relentless than all his efforts to earn for New Jersey the reputation of the fiercest anti-labor state in the East.

While Hoffman may fool himself with his unctuous statement, "No one has a greater sympathy for labor, organized or unorganized, than I," he fools no one who knows his record. Consistently opposing the enactment of child labor laws and minimum wage laws for women, he has done his best to keep New Jersey labor free for exploitation. In some respects the Governor is quick to take advantages of opportunities for education. Watching the silk industry of Paterson, which used to represent almost half of that industry the country over, gradually slip away to the even more backward Southern states in order to escape the union threat, he learned what to do. Together with Mayor Hague he busied himself in making New Jersey the same sort of receptacle for runaway industries from New York and Pennsylvania and other industrial centers of more advanced labor legislation, as the Southern states were for New Jersey. The result has been sweatshop conditions throughout the state.

These are the conditions which prompted the C. I. O. drive. They are conditions that cannot be wiped out by a whiff of Hoffman grapeshot. Governor Hoffman should study the history of labor in this country and the history of high-handed attempts to suppress the movement for a better standard of living. He will find a tangled problem that does not yield to the simple solution of legalized murder. He will find that the forces that compose the movement for better wages and more decent lives are infinitely stronger than he is, because they are the essential stuff of the American experience.

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Lippmann and the Court

FOR two weeks I have followed anxiously the serialized account of Walter Lippmann's hopes and fears for the Constitution. I had two motives for my religious pursuit. Here, I felt, in these flowers plucked from Mr. Lippmann's corner of the *Herald Tribune* crannied wall, I should get at the secret of his whole universe. And here too I should find summed up the mature thinking of conservatives on the constitutional issue.

In the first I was not disappointed. I found everything in Mr. Lippmann's career rolled up in these six articles as in a single ball. Something in his subject had clicked with him as never before. I found spread out before me the entire anatomy of his mind—his easy expository tone, his dialectical skill, his genius for clarity to the point of bareness, his rhetoric which is always just on the point of becoming eloquence, his magisterial air, his talent for opening his mind to no more of his subject than for the moment he cares to admit, his tone of fairness, his capacity for concealing the impulsions of his thinking while laying bare its framework, the smugness about his own motives and the attribution of dishonesty to others which I can only describe as a moral megalomania. And I found in addition what one finds when the usually cold Mr. Lippmann gets really excited—a sort of glacial hysteria that fascinated me by its union of opposites.

The second part of my quest was disheartening. Clearly Mr. Lippmann is heir to the whole tradition of American political thought. What use does he make of it? Confronted by President Roosevelt's plan for reorganizing the Supreme Court he calls it dastardly, dishonest, reactionary, "audacious, ingenious and at bottom stupid"—an act of "usurpation," a "bloodless coup d'etat" which strikes at "the moral foundations of the republic."

This leaves one a bit breathless and stunned. It is possible to discuss the President's proposal on three planes—the plane of legality, the plane of morality, and the plane of the mechanics and dynamics of government. On the score of legality, Mr. Lippmann can have no quarrel with the President, except to say that the legality is only a cloak for dark motives and something morally sinister. On the score of morality I can have no quarrel with Mr. Lippmann: he is welcome to his own moral canons, provided he will let others have theirs. Mr. Lippmann should remember that "moral foundations of the republic" is one of those stereotypes which he so admirably analyzed years ago in his book, "Public Opinion," and which is chiefly used as an emotional substitute for thought.

Let us stay on the plane of political analysis. Mr. Lippmann's chief fear is that the measure will destroy the independence of the judiciary. He sees the court as being "packed" with "young henchmen" of the President, political hacks responsive to his desires. And then, by a parade of imaginary horribles, he converts a statute for retiring justices at seventy into a coup d'etat.

What is not fantasy in this analysis is based upon faulty history and naïve political theory. The independence of the judiciary does not go beyond the constitutional safeguards. It does not extend to non-partisanship. Every President "packs" the court when he appoints a justice. Presidents have always wanted men of their own persuasion on the bench. Our greatest judges—Marshall and Taney, outstandingly—have been men of political and economic convictions, deeply embroiled in politics before their appointment. Surely Mr. Lippmann has read the letters between an earlier Roosevelt and Senator Lodge on the question of whether one O. W. Holmes, Jr., had the right sort of economic views. By accepting the myth of judicial neutrality Mr. Lippmann misreads history. By charging the President with seeking to change the Constitution he misreads judicial theory. The fact is that every important decision of the court changes the Constitution. It was a realistic tory lawyer who described the Supreme Court as an "adjourned session of the Constitutional Convention." Under the new plan the "independent judiciary," which has never been independent of Big Enterprise, would merely continue its work within new limits on age and numbers legally set by Congress.

So much for the critical portion of Mr. Lippmann's articles. There remains the constructive part. Mr. Lippmann admits that some of the Supreme Court decisions have distressed him. But he fears to limit the court's power to render such decisions, and he fears also too extensive a grant of power to Congress. After teasing our appetite, Mr. Lippmann finally advances his own proposal. He favors a *specific amendment* each time a new specific power is needed by Congress and refused by the court. But the amending process, he knows, is fearfully difficult. His answer is to amend the power to amend, with respect to the commerce clause only (with a six months' limit for ratification), and to leave the rest alone.

It was here that I really gasped. Commerce clause indeed! Surely anyone with Mr. Lippmann's background does not need an education in the obvious. He does not have to be told that there is more in the heaven and earth of the Supreme Court than is dreamt of in the commerce power. *Hammer v. Dagenhart* (the child labor case), is based not only on the commerce clause but on the Tenth Amendment. The Adair case or the railroad retirement pension case are based not only on the commerce clause but on the due process clause. The briefs in the Wagner Labor Act cases are built not only on the commerce power but on the First Amendment and the Fifth Amendment as well. In killing legislation the judges have been equipped with a whole quiver of arrows, any of which they could draw as the occasion demanded.

With his proposal Mr. Lippmann lets the cat out of the bag. He does not want to achieve real legislative flexibility. He thoroughly distrusts Congress, as he distrusts every organ of the people. He wants to intrench minority rule. He wants to consider the Constitution as a grant of *specific* powers, and he wants each additional specific power (that is, every important piece of new social legislation) to run the gauntlet of a two-thirds vote of Congress and a three-quarters vote of the states. This would be minority rule with a vengeance. And it is a tribute to Mr. Lippmann's intellectual athleticism that he can glorify minority rule in the name of democracy.

MAX LERNER

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WASHINGTON WEEKLY

BY PAUL W. WARD

Washington, February 22

THE Senate committee investigating civil-liberties violations, including labor espionage, has performed two feats in the last few days that deserve the widest possible publicity. In the first of these Senator La Follette's committee has cast doubt on the good faith of General Motors' peace pact with organized labor, and in the second it has come close to furnishing proof of John L. Lewis's charge that the nation's largest corporations have joined together in an active, organized united-front campaign to violate the Wagner Act and smash or prevent unionization of their workers.

The record of the week shows, in fact, that General Motors today is still very much like the General Motors Corporation of 1934, when President Roosevelt's bogus peace plan and the Wolman board that it created were foisted on the automobile workers. It shows that after the 1934 settlement General Motors tightened up its espionage system. It also shows that when General Motors a few days ago signed its 1937 peace pact with organized labor, it was simultaneously engaged in creating a new and better espionage system. Corporation officials admitted on the witness stand that when they advanced their claim to having cast off as of February 1 the Pinkertons and all the other spy agencies on which they had spent over $800,000 in the last few years, they were engaged in setting up a new system and had hired as its nucleus two former G-men and a former United States deputy marshal. They were later to admit that they had not actually discarded the services of all private detective agencies and that Chevrolet at least still retained Railway Audit and Inspection, which up to the present stage of the committee's revelations stands as the most disreputable of all the big espionage agencies. Railway Audit's discharge will come no doubt when the ex-marshal and the two former G-men, who used to be stationed at Detroit, get the corporation's own espionage system working.

The La Follette committee's other major feat of the week was its disclosure that representatives of a dozen of the nation's giant corporations have been meeting once a month at New York to swap ideas on dealing with the labor problems common to them all. Represented on this committee are E. I. du Pont de Nemours Company, General Motors, Bethlehem Steel, Standard Oil of New Jersey, International Harvester, United States Rubber, Goodyear Tire and Rubber, American Telegraph and Telephone, General Electric, Westinghouse, Irving Trust, and the United States Steel Corporation, which was admitted to membership when it hired Arthur H. Young as vice-president in charge of labor relations. It is called the "special conference committee" of the National Association of Manufacturers and meets in a part of the Standard Oil suite of offices in Radio City. E. S. Cowdrick is the committee's paid secretary and makes trips to Washington for the purpose of surveying and reporting on the status of labor legislation here. Clarence J. Hicks, formerly of Standard Oil and now of Industrial Relations Counselors, Inc., is an honorary member of the committee and used to be its chairman. Industrial Relations Counselors is the company-union factory that the Rockefeller interests set up after the Ludlow massacre. General Motors officials who have represented or now represent the corporation on the committee blandly pointed out that almost all the member corporations have been "pioneers" in setting up "employee representation" plans or "works councils." They said the committee itself was the product of a "get-together" between Charles M. Schwab and Walter C. Teagle "a great many years ago." They testified that recently its members agreed to report to the committee all changes in wages, hours, and working conditions; that the results of company-union elections are reported to it; and that during the depression the committee discussed such things as "necessary reductions in salary" and the success some member corporations had had in handling them through their company-union set-ups. But they insisted that the committee does not attempt to lay down a "united policy" for all the member corporations and that the only united action it has ever taken was on a report on unemployment insurance which ended up in the Commerce Department's Business Advisory and Planning Council via Walter Teagle. Is it without significance that, as they testified, the only outsider the committee ever had address it at a night meeting was Dr. Leo Wolman and that the committee went to Detroit in 1934 to hear him and the industrial representative on the Wolman board, Nicholas Kelly, explain the board's designs?

Behind the dust screen of debate raised by the President's Supreme Court reform proposal the consumer is being double-crossed once more by Congress. The Senator for Vick's Vaporub (Bailey of North Carolina) once more has united with the Senator for Listerine (Clark of Missouri) and the Senator for Parke-Davis (Vandenberg of Michigan) to put over a new food-and-drug act that will undermine the already ineffectual defenses the consuming public has managed to write into law over a long period of years. And in the House, Representative Clarence Lea of California stands ready with a plan to convert the bill into an even worse betrayal of the consumer. Lea has just become chairman of the House Interstate and Foreign Commerce Committee, succeeding Sam Rayburn of Texas, who proved himself last year an indomitable champion of the theory that men should

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not be free to sell eyelash paints that blind the users. The bill that Senators Bailey, Clark, and Vandenberg are backing is the Copeland bill, and Lea intends to see that when it reaches the House it does not fall into the hands of the subcommittee that under the chairmanship of Representative Chapman of Kentucky did such yeoman-like work for the consumer last year.

The Copeland bill, which has just been reported out of the Senate Commerce Committee, contains at least three vital pitfalls. One is a section prohibiting multiple seizures of misbranded merchandise and carrying with it the vicious Bailey amendment. The Food and Drug Administration for years has been empowered to seize all identical shipments of a misbranded commodity after it has convinced a court that a single, sample shipment was misbranded, and it has exercised this power as the only effective consumer-protection weapon that it has. Yet Senator Copeland's report for the committee commits the bland falsehood of asserting that it has been the Food and Drug Administration's "declared policy . . . in enforcing existing law" to eschew multiple seizures, and that the Copeland bill "therefore does no more than write into the law what is declared to be the policy of the administration." Another hooker in the Copeland bill is a provision excusing the courts from issuing injunctions against violators of the law if a judge is satisfied that the accused really intends to go and sin no more. Imagine, if you can, a typical federal judge subjecting a rich manufacturer of quackeries to the damaging publicity of an injunction after he has promised to be good.

The third trap in the bill occurs in the section on advertising claims which are "false or misleading in any *material* particular." That word "material" is the snag. It has been inserted so that all the legal precedents built up by the Food and Drug Administration under the existing law, which omits the word "material," will be set at naught and the administration will have to start over from scratch and under a law which makes it even more difficult than does the present one for the government to prove its case. The bill gives the Food and Drug Administration control over advertising, instead of vesting this control in the Federal Trade Commission, where Lea is prepared to place it with the aid of the commission's lobbyists. The current issue of *Advertising and Selling* offers an article by Edward R. Keyes which contains overwhelming proof that control of food-and-drug advertising must be taken away from the commission. Mr. Keyes shows, too, why the scum of the industry want to keep it there. He offers a series of cease-and-desist orders which the commission has handed down against fraudulent medicinal advertisements and then from the files of the Nashville *Tennessean*, a daily paper, he takes current advertisements in which the same companies against which the commission's orders were issued two and three years ago are making the same fraudulent claims. Mr. Keyes does not explain why he used the Nashville *Tennessean*. Could it be because it is owned by Paul M. Davis, who is not only a brother of Roosevelt's ambassador-at-large, Norman H. Davis, but also a brother of Ewin L. Davis, who as chairman of the Federal Trade Commission lobbied so vigorously last year to keep advertising control in the commission's hands?

J. Edgar Hoover

BY KENNETH G. CRAWFORD

Washington, February 17

J. EDGAR HOOVER, director of the Federal Bureau of Investigation, has become Public Hero Number One through no accident. He has been working purposely toward that goal for twenty years—ever since he went to work for the Department of Justice in 1917, equipped with a night-school law degree, brief experience as an employee of the Congressional Library, and an instinct for self-promotion. By skilful use of all the effective media of publicity, he has made himself a legendary figure. Children no longer play cowboy and Indian or even cops and robbers. The game is G-men and hoodlum, with the strongest kid impersonating Hoover. Adults with a taste for vicarious violence are prone to accept the legend at face value.

Making the most of his resulting prestige, Hoover has built up the F. B. I. from almost nothing to what the Hearst press, his most faithful glorifier, calls "the greatest detective agency in the world." There is nothing mythical about his equipment for violence. He now has 531 special agents, trained to use tear gas as well as machine guns and small arms, an annual appropriation of almost $6,000,000, and well stocked arsenals in Washington and thirty branch offices scattered over the country.

His hair-trigger methods have been salutary in wiping out, or almost wiping out, the kidnap racket. Grateful for this, Congress and the country have been inclined to overlook the dangers inherent in his disregard of the American traditions that every man is entitled to his day in court and to his own opinions. It is something less than reassuring that so much power has been handed over to a man brought up in the pettiness of bureaucracy and schooled by such master red-hunters as A. Mitchell Palmer and William J. Burns. There may be no reason to fear such a delegation of authority under the present Administration. But there is nothing in Hoover's record to indicate that he would not carry out with considerable satisfaction the orders of a reactionary President to repeat the Palmer performance.

Hoover's first training was in war-time counter-espion-

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age. Then he became active in Palmer's post-war radical-baiting campaign. The detective's part in this campaign is now justified by one of his publicity agents on the ground that "we were all a little hysterical in those days." Hoover himself has told interviewers that the work was always distasteful to him. But take the little matter of the corruption case built up by the Justice Department against Senator Burton K. Wheeler of Montana shortly after his election in 1922. The government's star witness, to whom Wheeler was supposed to have offered to sell his influence as a Senator, was thoroughly discredited on the stand. Hoover was very active in that case.

Then there is the Sacco-Vanzetti affair. Liberal defenders of the two victims have always contended that it was Hoover's secret dossier on their radical activities, not evidence of the crime with which they were charged, that sent them to the chair. The dossier was never produced in court, but it provided the prosecution with its most telling arguments. Hoover was personally in command of the Justice Department's preparation for the trial.

Just how inclusive is the Hoover bureau's file of information on radicals and the conservatives Hoover thinks are radical, no one outside the department knows. There is no doubt here of its existence, or at least of its former existence. Some of the President's friends even suspect that Hoover went so far as to start a folder on the Roosevelt family and at least two of the candidate's advisers in the 1932 campaign. More astute as an investigator than as a politician, Hoover thought Herbert Hoover (no relation) would win in a walk, and that it might do no harm to turn up some information about the Democratic nominee.

Hoover was quiet enough for the first few years after he became director of the bureau. His agents were without authority to carry arms or make arrests. They merely pointed out culprits for local police or federal marshals to arrest. But in 1934 everything changed. The Lindbergh baby had been kidnapped, Congress got excited, and things began to happen.

The Federal Bureau of Investigation was voted power to carry arms, make arrests, and investigate all sorts of crimes. It now can arrest escaped federal prisoners, robbers of national banks, violators of the United States neutrality laws, perjurers, white slavers, interstate automobile thieves, kidnappers, racketeers, felons who cross state lines, and persons charged with espionage. This much authority could be stretched to cover almost anything. In particular, it could be used to harass labor organizers and suspected reds. The federal law against racketeers would lend itself admirably to the framing of "agitators." The espionage statute might be handy for use against Communists who happened to be working in factories making war materials. Almost anyone with a record could be caught in the meshes of federal laws which the Federal Bureau of Investigation is now authorized to enforce.

Furthermore, the huge collection of fingerprints which Hoover, with the assistance of police departments in every city in the country, has built up makes it easy for him to identify anyone with a police record. His identification files are the most extensive in the world, containing the fingerprints of more than 5,000,000 criminals. In addition, he is pounding the drums for voluntary submission to fingerprinting by non-criminals, and with his usual flair for publicity is doing well at it. He has enlisted some 200,000 volunteers.

John D. Rockefeller, Jr., Guy Lombardo, Walt Disney, and other notables have impressed their fingertips on Mr. Hoover's records. In their cases, no doubt, no harm will come of it. Plainer citizens who do the same thing will have no assurance that their prints will not be examined when the perpetrator of some crime or other is being hunted. Contrary to the general understanding, the so-called civil identification files as well as the criminal files have been checked under such circumstances.

Anyone accused of a crime and fingerprinted at the time of arrest has a legal right to demand destruction of the prints if he is exonerated. The F. B. I. has been known to photograph such prints before returning the original file—just in case the defendant might turn out to be a criminal after all. Also the files are searched at the request of private detective agencies as well as of the police.

Although Hoover has friends and former associates in the "fink" business and never has shown any disposition to frown on his labor-spying pals, no conclusive evidence has yet come to light to show that his agents have been pressed into service to help them. The La Follette civil-liberties committee has come close to Hoover with some of its shots, but up to now has registered no bull's-eye hits. The committee's investigators claim that Hoover, always fast on his feet, has given them valuable help. Two young confessed labor spies who testified voluntarily early in the investigation told the committee they had identified the man who hired them by a newspaper picture of him and J. Edgar Hoover at the Pittsburgh airport. They discovered from the caption that their employer was Charles F. Ruck, big shot of the steel industry's espionage system. Ruck is a former G-man with whom Hoover has maintained contact.

The committee's record also contains several communications signed by officials of private detective agencies stating that they had cooperated with the F. B. I. in various cases. One of the letters said that the National Metal Trades Association, a strike-breaking agency, worked with the F. B. I. on an espionage case. Hoover denied this.

A record taken from the Pinkerton files purported to show that the G-men collaborated with this agency in a St. Louis case. Recalling that a statute forbidding government agencies to hire private detectives has been on the books since the gory Homestead battle, in which Pinkerton men fought steel strikers, Senator La Follette asked for further details. The memories of Pinkerton officials failed them when they were questioned about the case. They did admit, however, that a system under which government officials could be billed personally for private detective services was worked to circumvent the law.

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Hoover's attitude toward labor organization is best illustrated perhaps by the experience of Justice Lodge Number 21 of the American Federation of Government Employees. Members and former members of the organization have filed charges with Attorney General Cummings that eleven of their number have been forced out of the bureau, victims of Hoover's discrimination. They insist that he has violated the Wagner Labor Disputes Act. The men affected were fingerprint classifiers with civil-service status and had been rated "good" by their superiors shortly before they were asked to resign because of "inefficiency" or warned that their work was not satisfactory.

"The men firmly believe," Cummings was told in the brief filed with him last July, "that these dismissals were intended to weaken or break up the union." Whatever the reason for the dismissals, the union officials' premonitions of trouble were well founded. At the subsequent convention of the A. F. G. E. in Detroit, Justice Lodge Number 21 was thrown out of the international and as a consequence out of the American Federation of Labor.

Several other units of the government employees' union were expelled at the same time in a purge of radicals. The particular offense of the Justice Lodge was that it had distributed dodgers accusing the Department of Justice of discrimination. This was interpreted as a violation of the union's rule against unauthorized picketing. Before the convention the department had issued a release which in effect invited the expulsion. Later Cummings, in refusing to do anything about the protest, was able to observe that the F. B. I. unit was an outlaw. Its membership has dwindled, but some of its original organizers are still active and the Civil Liberties Union has taken up its case.

Among the grievances of the fingerprint classifiers, who get from $1,440 to $1,800 a year, is long overtime —13,000 hours of it between January 1 and July 1 last year. They further complain of the tyranny of petty regulations. Window shades must be drawn to a uniform level to make the bureau attractive to visitors. Suspenders must never show. There can be no smoking on the job. Time out for a smoke in the washroom has been checked and may not exceed seven minutes.

Hoover is a martinet in his own bureau. Most of his employees find jobs elsewhere in the government service at the first opportunity. The resulting turnover in some bureau units has been calculated at 70 per cent in one year.

[*This is the first of two articles on J. Edgar Hoover. The second, which will appear next week, will deal with Mr. Hoover's methods and his attitude toward criminals.*]

Paying Ransom to Hitler

BY ROBERT DELL

Geneva, February 9

THERE are encouraging signs both in England and in France that Hitler's speech of January 30 is being more and more recognized as what it was —one of the most sinister that he has yet made. As the *Journal des Nations* put it, "The hands held out by Eden, Neville Chamberlain, and Léon Blum remain suspended in the void." To all the questions implicitly put to him by Eden in his speech in the House of Commons on January 19 Hitler replied with a categorical no. He will have nothing to do with any general European settlement, he will accept no international control of armaments (without which any limitation or reduction of armaments is impossible), he will have nothing to do with the League of Nations or any similar system of settling disputes by arbitration or international mediation. Germany must be the sole judge of its own requirements in the matter of armaments and everything else. Yvon Delbos might well say, as he said on January 31 at Châteauroux, that in these conditions negotiations with Germany are extremely difficult. Indeed, they are impossible, and the sooner the fact is recognized by the British and French governments the better.

Those who listened to the speech here remarked the irritated tone of the latter part, in which Hitler dealt with foreign policy. Evidently he had been annoyed by Eden's speech of January 19, and his references to Eden were often ironical and barely polite. Perhaps Hitler thought, not without some reason, that what Eden said did not necessarily bind the British government as a whole. British policy has too often differed widely from Eden's speeches and even from those of his predecessor, Sir Samuel Hoare. It is difficult to avoid the conclusion that Eden is used as an instrument—no doubt unwittingly—for deceiving the public about the real nature of British policy. Hitler's omission even to mention Léon Blum's speech at Lyons on January 24 was no doubt a studied insult. It has been suggested that the omission was due to the fact that Blum is a "non-Aryan," but it seems to me much more likely that it was intended to show that, in Hitler's opinion, France no longer counts as a factor in European politics. Unhappily, there is too much reason for that opinion.

There have, however, been some recent manifestations of independence on the part of the French government. The first was the refusal to follow the English lead by stopping French volunteers from going to Spain without waiting for Germany and Italy to stop sending reinforcements to Franco. The German and Italian governments are repeating their dilatory tactics of last

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August and meanwhile hurrying more men to Spain, but at least the French government has not been duped a second time. More significant was the vigorous action by which the French government prevented German troops from being sent to Spanish Morocco. On January 6 several French diplomatic and consular representatives abroad informed their government that German troops were on the point of starting for Morocco. One contingent had left Munich on December 31 and was being sent through Italy. On January 7 Viénot, who was in charge of the Foreign Ministry during the absence of Delbos, sent for the German ambassador and, without mentioning the information received, warned him that if any German troops were sent to Spanish Morocco, the French army would go in and turn them out. The next day Hitler held a sort of council of war at which the opposition of the German General Staff to taking any risk for the sake of Franco was so strong that he had to give way, and the troops did not go to Morocco. This was the first time that the present French government had taken any step of such importance without consulting London. Had the Sarraut Cabinet acted without consulting London on March 7, the German troops would have been withdrawn from the Rhineland. And had the British and French governments, or either of them, called Hitler's bluff in a similar way long ago, there would have been no war and Europe would not be in the state of chaos in which it is at present. It is a hard saying, but it is the fear of taking the risk of war in any circumstances that has brought us to this pass and increased the risk of war. To borrow a metaphor used by Gabriel Péri, Communist deputy for Versailles, in a remarkable speech that he made recently in the French Chamber, the British and French governments have gone on paying ransom to the gangsters without any guaranty that they would deliver peace alive.

Léon Blum's speech at Lyons on January 24—perhaps the best speech that he has ever made—also suggested that France may at last free itself from British domination and have a policy of its own. One of the most significant passages in that speech was the following: "We cannot remain indifferent spectators in Europe. We are members of the League of Nations, faithful to its principles, faithful to its Covenant. We have made friendships to which we remain entirely bound. We have contracted obligations to which we remain entirely faithful." I listened in to the speech, and no passage was more enthusiastically applauded than this except perhaps that in which Blum said that it had been proved that a "violently pacific" government was "not incapable of defending the interests, the dignity, and the security of France." The audience at Lyons understood, as everybody, including the Germans, has understood, that Blum was referring in particular to the French obligation to defend Czecho-Slovakia against unprovoked aggression. But Blum was also rejecting the British policy of leaving Hitler a free hand in Eastern Europe. The Foreign Office is now giving out through its accredited journalists, the "diplomatic correspondents" of the English daily papers, that the Western powers, and therefore the League of Nations, could do little or nothing to help the Eastern powers if the latter were attacked by Germany, because the western frontiers of Germany are now impregnable. It is clear from what Blum said at Lyons that this view is not shared by the French government, and, indeed, it is only an excuse for a policy of betrayal.

A great deal of nonsense has been talked about the division of Europe into two "ideological blocs," one fascist, the other communist. Such a division is impossible, for there is only one communist country in Europe. The fascist bloc already exists, but the rest of Europe is disunited, thanks to British policy acquiesced in by France. It is not a question of forming a communist, or even an anti-fascist, bloc but of forming a bloc or combination of the nations that desire peace to defend themselves against the aggressive and predatory nations—Germany and Italy and their satellites. The French government has recently taken an important step toward that desirable end by proposing a pact of mutual assistance to the three powers of the Little Entente. Unfortunately, when the Little Entente proposed such a pact to France last year, the present French government, under British pressure, refused it for fear of offending Mussolini. This was one of the disastrous consequences of the fatuous policy of trying to conciliate Mussolini and detach Italy from Germany by betraying Abyssinia—a policy which has completely failed. A further consequence was to drive Yugoslavia and Rumania into the arms of Germany, with the result that those two countries have up to the present refused to agree to the pact proposed by France. Moreover, under German influence, Yugoslavia has made what is practically an alliance with Bulgaria, and thus for all practical purposes both the Balkan Entente and the Little Entente have been dislocated. After the Montreux conference last year Turkey offered a pact of mutual assistance to France. That offer too was refused for fear of offending Mussolini. It has, I have reason to believe, been renewed, and perhaps it will now be accepted. In any case Franco-Turkish relations have been made thoroughly friendly by the agreement in regard to the Sanjak of Alexandretta.

On March 7, 1936, the Polish government informed the Sarraut Cabinet, then in office in France, that Poland would support any action taken by France to obtain the withdrawal of the German troops from the Rhineland, and would fulfil all the obligations of the Franco-Polish alliance if such action led Germany to make war on France. The Sarraut Cabinet, after consulting London, refrained from taking action, and the Polish opinion that France was too weak to be depended on was confirmed. Nevertheless, the present French government succeeded in improving Franco-Polish relations when Marshal Ridz-Smigly visited Paris. Later on, however, Colonel Beck, who had refused to accompany the Marshal and opposed the visit, went to Berlin and then to London, where he was encouraged by the British Foreign Office to continue his pro-German policy, masquerading as "neutrality." One result has been that the League of Nations has capitulated to the Nazis in Danzig and allowed the Polish government to come to an agreement with them to secure

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Polish interests. The French delegation to the recent session of the League Council rightly urged that if the League could not maintain its authority in Danzig and insist on the preservation of the constitution of the free city, it would be better for the League to wash its hands of the whole business and not appoint another high commissioner. This was also Eden's view, but Beck, terrified at the prospect of being left alone to face the Germans in Danzig, protested against such a violation of the Treaty of Versailles. The new high commissioner's only function will be that of acting as intermediary between the Danzig government and Poland. In spite of all this, it is clear that there is strong opposition in Poland to Beck's policy, and the French government may yet win back Poland—but only if the Poles are convinced that France will adopt a firm policy toward Germany and Italy.

In the West Belgium has been for all practical purposes detached from France with the approval, if not at the instigation, of the British government, and Hitler's offer to guarantee Belgian neutrality is intended to keep Belgium neutral in the event of a German attack on France. Thus the British attempt to separate France from its friends and allies and put it at the mercy of England has to a great extent succeeded. France, however, has in Léon Blum a man with the necessary courage and intelligence to save the situation even now if only he will take the initiative, without any further delay, in forming, with or without England, that combination of the pacific forces of Europe that alone can avert war. Such a combination can avert war if it is strong enough to discourage the aggressive powers from risking war. It is the only method by which Italy can be detached from Germany. Meanwhile the best way to deal with Mussolini is to leave him alone and make no concessions of any sort.

Kill the Conscription Bill!

BY STEPHEN RAUSHENBUSH

DEMOCRACIES don't like a bloody struggle to assume the shape of "a rich man's war and a poor man's fight." The contrast between the creation of some thousands of new millionaires and the creation of some scores of thousands of corpses dead from lead and gas has bitten deep. The veterans' groups have been demanding that capital as well as men be drafted in the next war. Other groups are worried by the prospect of a really first-class post-war depression, and join in demanding the heaviest taxation bearable in order to avoid inflation and a real collapse.

The gentlemen who run things have taken these feelings into consideration and assure us that the next war will not be marred by profiteering or any inequality of suffering. We now have their rough plans for the next war before us. The chairmen of the House and Senate Military Affairs Committees have introduced their bill (Hill-Sheppard H1954-S25). Such an introduction usually means that it is an Administration measure. American Legion officials have indorsed it. The Nebraska legislature, under the impression that "it provides for a draft of capital, industry, man-power . . . with equal service for all and special privilege for none . . ." has memorialized Congress in its behalf. Those who thought we were not again going to draft men to die overseas ought to look at it, as well as those who want to take the profit out of war and avert the danger of being led into a conflict because of our war trade.

The bill provides that immediately after Congress has declared war the President, without any further legislation by Congress, can draft the several millions of men between the ages of twenty-one and thirty-one. He can control business by licenses, priorities of shipments, price-fixing, and by inducting managers into the service as civilians. He can appoint all the agencies he deems necessary to carry out his orders and rules, and the fine for disobedience of the rules is $100,000 or a year in jail. Lastly, there is a tax of 95 per cent "of all income above the previous three-year average."

In five short pages the President is given dictatorial powers which adequately meet Irenée du Pont's dictum, "An absolute monarch is needed in war time." Once we have entered a major war we must expect something like this whether we like it or not. It is our contribution to the "totalitarian war," and there is probably no valid technical objection to the military efficiency of this procedure. The objection comes to the claims made for the bill. Its stated purpose is "to prevent profiteering in time of war and to equalize the burdens of war and thus provide for the national defense and promote peace." But the claims made for it, unless they are promptly disproved, may sell to Congress and to the public a measure which actually drafts men in advance of any war, no matter how small, and which strangely "equalizes the burdens of war" by letting capital make a larger profit in war time than it does in peace time.

Capital was not drafted during the last war. It cannot and will not be drafted during the next one. The War Department is not equipped to do it, does not want to do it, and will not do it. Capital will be coaxed and flattered and given what it wants. It will be treated well behind closed doors because the War Department's duty is to win the war rather than save money. The powers to put a company out of business—licensing and priorities—will not be used because the government cannot afford to put a non-luxury company out of business. They will serve only to silence a hostile press.

The price-fixing powers are no threat to capital, either.

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In the last war the steel companies, for example, refused to produce at certain prices, pointing out that a high-cost producer, Lukens Steel, was making no money. They got an increase. Years later the Senate Munitions Committee found out that Lukens Steel had made 90 per cent profit. The copper companies refused to produce for 23½ cents a pound, Anaconda taking the leadership. At the time its costs were 16½ cents.

Meanwhile the draft of men is not subject to behind-the-door evasion. It is to be taken out of the hands of Congress in 1937 and given to the President. A declaration of war against Mexico, for example, would automatically permit the President to call four million men to the colors. The draft is not something the boys can dodge. It is as real as death and far more real than taxes.

It is not stated specifically in the bill that wages will be fixed by the President for all labor, although the President can fix "compensation." However, Bernard Baruch, who has given his blessing to the bill, has recommended that a wage-fixing provision be added, and that probably will be made explicit. Under earlier bills drawn by the War Department a work-starve-or-fight rule was provided for labor. Mr. Baruch has pointed out that anyone refusing to work where he was told to work could be "cut off from rations, transportation, fuel, and supplies." And he may well have to work at wages fixed for him. The Munitions Committee held that under this principle, combined with a draft (to be used on strikers), "this country will have for all practical purposes a draft of labor." It is not called that. Spades are only garden implements.

Men are to give up their lives, labor its freedom. What does the rest of the nation give up? Capital need not fear control of production or price-fixing. The induction of managers into the military service as civilians protects them from the draft in a wholesale way rather than in the detailed way in which they secured protection before.

The only provision in the bill which gives any evidence of intent to prevent profiteering or to equalize the burdens of war is the proposal that once war is declared, a tax of 95 per cent shall be levied on all incomes above the previous three-year average. On its face, companies can keep all the profit they make in peace time, and in addition 5 per cent of the war-time profits. They can do even better. They can secure "proper adjustments for capital expenditure," a broad allowance for amortization which the dimmest wit among the company accountants will hardly pass by. This tax was proposed first by President Hoover's War Policies Commission. The Roosevelt Administration has taken it over almost word for word. There is little discouragement of war in that tax; there is actually great encouragement of war trade before we enter, with dangerous consequences to peace.

Some of the more realistic neutrality proposals try to limit pre-war trade to normal. They are based on the belief that once a boom in trade to belligerents starts, nothing can stand in its way. It is a dangerous boom in that it brings a depression as soon as the war stops. It makes our continued prosperity dependent on the continuation of warfare, gives us all a regular munitions salesman's interest in continued warfare. Any threat to the war boom means a panic. It was that fear of panic and depression which caused us to change our neutrality on loans in 1915. It was fear of panic which played a part in our heavy financing of the Allies after we entered the war and for years after the Armistice.

The Hill-Sheppard bill encourages a war boom by rewarding those companies which engage in it and by penalizing those companies which do not. To illustrate: Two companies each have a capacity of $13,000,000 in profits. A stays out of the present war-preparations boom and averages a profit in 1937-38-39 of $10,000,000. B goes into the war-preparations business, supplying England and, at first, Germany. In 1938 the war is actually declared. In 1940 we get in to prevent interference with our war trade with the belligerents (the freedom of the seas). By that time B has averaged its capacity in profits, $13,000,000. Both companies cancel other orders and take government business to capacity. When the 95 per cent tax on new profits is levied, B pays not a cent, while A is penalized 95 per cent of $3,000,000 or $2,850,000. By helping to kill the neutrality legislation holding trade with belligerents down to normal, B has secured its income during the years of our actual participation in the war. Under this tax the du Pont Company would not have paid a penny to the government in 1917 or 1918.

The 95 per cent tax would not induce any companies producing to capacity to throw their weight against our entry into war. And those companies which had not been producing to capacity would prefer normal profits to the depression which would come from the collapse of a pre-war boom. They are tied to the chariot wheels of the war traders. As Philip C. Jessup has put it: "The only way to take the profits out of war is to take the profits out of neutrality first."

There are ways by which even those companies which had not been running to capacity before our entry could make and retain huge profits. Under the bill we may expect a huge extension of War and Navy Department allowances to all war contractors and subcontractors in order to get production. During the last war the New York Shipbuilding Company received such a flat percentage allowance and got from the government as costs $2,153,000 more than it actually paid out. That company, incidentally, claimed its net income from 1917-21 was $8,445,000; the revenue agents found $24,297,000.

Mining companies will claim amazing depletion allowances, and get them. Texas Gulf Sulphur was purchased for $250,000 and was allowed by the government a value for depletion purposes of $38,920,000. Forty-seven copper companies claimed a valuation of $1,456,300,000, while revenue agents found their valuation to be $323,700,000.

Companies which had been producing to capacity before our entry would find an incentive to expand in amortization allowances. The Aluminum Company of America avoided $10,650,000 of its tax burden in 1917 by claiming that its new plant would be useless after the war. Later the company's production increased over 100,000,000 pounds.

After a war is over, and the depression is on, com-

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panies can and do plead poverty and avoid taxes in that way. Atolia Mining, producing tungsten, cost the stockholders $63,000. It paid out $4,715,000 in dividends from 1916 to 1918. Yet it claimed, in the depression, that it could pay only $165,000 in taxes on its war profits. Other companies will manage to take their profits in post-war years after the high war-time taxes have been reduced. And if the government wants to cancel war-time contracts it will be asked to pay through the nose. When the Iowa and two cruisers were to be scrapped, the president of the Newport News Shipbuilding Company told the owner that they were claiming $14,973,000 from the government but "would be willing to take" $6,616,000.

The crusade to "take the profits out of war" meets the cold resistance that profits cannot be taken out of war. Mr. Baruch himself cautions that "one must realize that it expresses an ideal rather than an actual goal." An economic system built on profits is not suddenly going to refuse to get all it can out of the government simply because a war is on. It isn't that kind of a system.

If there is to be even a faint echo of talk about equality, high taxes should be levied on *all* profits, not merely on new profits after our entry into war. Senator Connally has introduced S1248 and Senators Nye, Clark, Bone, Vandenberg, and Pope have introduced S1331, bills which move toward a high tax on all war profits. But such taxes will be evaded as they were before, and no Administration will dare collect high war-time taxes during the post-war depression if that means forcing half the nation's business into bankruptcy.

This is a plea for frankness. If a draft of men for service overseas is to be voted on in advance of war, or if a silencing of labor is to be voted on in advance of war, let those proposals stand on their merits, and let the country think a little about what a hard-boiled President could do with these powers in his hands. Nobody should, however, be allowed to believe with the gentlemen of the Nebraska legislature that the present proposal (S25-H1954) really "provides for a draft of capital . . . man-power . . . with equal service for all and special privilege for none." It does nothing of the kind. If we are to maintain our democracy with a minimum of class hatred, we should refuse, as a matter of elementary precaution, to let democratic slogans be used when they achieve undemocratic results. A war is still a war no matter how pleasant it has been made to look.

The draft provision of this bill should be cut out entirely and laid on the shelf until after we are actually in a war.

An irresponsible acquaintance of mine has suggested that the preamble of this bill, cited above, should be changed to read: "To establish a military dictatorship in the United States, to force companies to engage heavily in trade with foreign belligerents and thus decrease our chances of peace, to silence in advance all opposition to the draft of men for service overseas, to silence labor and destroy collective bargaining before labor is aware of what is happening to it, to put into the President's hands power to rule the nation completely on the pretext of a war with Ruritania, to kid the public about equality, and to hold out a real incentive to the Liberty League to put their President into office just once, because then he could stay there forever."

Espionage, Inc.

BY DWIGHT MACDONALD

Washington, February 13

SENATOR THOMAS has a long, bony face and looks like a nice old country lawyer. Senator La Follette closely resembles a sophomore—pudgy, round boyish face, hair parted in the middle, horn-rim glasses. Flanked by rows of young men, they peer down over a lofty mahogany bar at the witnesses. The antagonists in the class struggle succeed each other in the witness chair—on the one side radicals and union leaders, on the other officials of strike-breaking agencies and their "clients." The hundred-odd chairs for spectators are usually well filled. It is a good show.

Senator La Follette and the National Labor Relations Board were chiefly responsible for the existence of this Senate Committee on Civil Liberties. Last spring the committee held preliminary hearings at which the Labor Board produced such a mass of evidence, documentary and verbal, of labor espionage that the Senate was constrained to vote an appropriation—of just $15,000. The money has been stretched far. It paid for hearings last fall which got into the record a vast amount of data about Pinkerton, Railway Audit, National Corporation Service, and other agencies. It is paying for the current hearings, which have gone into the Gelders flogging case in Birmingham—with a side glance at the Tennessee Coal, Iron, and Railroad Company, the United States Steel subsidiary which carried on its pay roll the flogger-in-chief—the National Metal Trades Association, an open-shop crusader since 1900, and the intensely respectable Corporations Auxiliary Service, whose head men wear tweeds and look like women's-club lecturers.

A great deal has been brought to light, not through any fault of the spy-company witnesses but because the committee has done a fine job of under-cover work itself. When it sent out subpoenas to Pinkerton and the rest last summer asking for correspondence, files, and the like, it thoughtfully subpoenaed as well the waste paper from their offices. For several days after the subpoenas

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were served, the committee's field agents harvested the crop. Sacks of torn paper were brought to Washington, dumped on long tables, and reconstructed by a force of nimble-fingered girls into hundreds of highly interesting "exhibits." Already the testimony and exhibits fill 1,100 pages, with many more now on the press. Robert Wohlforth, a graduate of the munitions investigation, is the committee's secretary. John J. Abt is its able counsel. They have armed the Senators with the deadliest kind of ammunition. Day after day the strike-breaking gentry are butchered to make a Democratic holiday.

There is also the fascination of watching solid citizens walk into booby traps. The espionage experts seem to be fools as well as knaves. Considering that they know what the committee has taken from their files, they are surprisingly inept at defending themselves. The two Senators make a good team. Thomas handles the moral and theoretical end. His questions, in slow, genial accents, lead the witnesses to mire themselves deeper and deeper in a bog of idealism. It soon becomes evident that the boss spies on his employees entirely for their own good. In fact, it's costing him money, but the moral satisfaction is worth it. After Thomas has set them up, La Follette knocks them down. His tone is incisive, the words snapping out with awful clarity. One Homer D. Sayre, for example, the commissioner of the National Metal Trades Association, spent a happy morning expatiating to the sympathetic Thomas on the common, indeed practically identical, interests of employer and employee. "I get quite enthusiastic about it, Senator," he declared. It was a perfect set-up. In the afternoon La Follette took it apart, by the simple process of reading various documents taken from the association's files.

The labor witnesses present a sharp contrast to the bosses. They know what they want to say and they say it concisely, intelligently, convincingly. The difference is largely, of course, that one side wants to get at the truth and the other doesn't. But it goes beyond that. As human specimens the labor people seem superior—realistic, vigorous, tough-minded, distinctly more intelligent, and even more grammatical.

Last week the committee moved into the General Motors sector. Up to February 1, 1937, General Motors was Pinkerton's biggest customer. On that date, according to testimony given to the committee, the Pinkerton agency lost its customer, and with an abruptness which intrigued the investigators. All last week the Pinks were on the stand, doing their best not to shed light on this and other matters. Quite a lot came out nevertheless: that the Pinks had eavesdropped on Assistant Secretary of Labor McGrady when he was trying to settle a Chevrolet strike in 1935; that they evade state and federal laws in prosecuting their business; that a good strike shoots their income up three or four times.

Sometimes as many as nine of them—the entire general staff plus a few division heads—sit in a semi-circle to be questioned. In the center is President Robert A. Pinkerton, grandson of the founder. He is a vague-looking young man, Groton and Harvard, who speaks in the flattest and crispest of upper-class accents and who obviously knows very little about the enterprise of which he owns 70 per cent. He presents a strange figure in the midst of the tough boys who do the dirty work. In 1935 they rolled up dividends for him of $129,500.

If a sermon could be preached on young Mr. Pinkerton as an example of modern absentee ownership, there might also be some moralizing over the gentlemen who sit at his elbow. They are the Pinkerton lawyers, representing the great firm of Cravath, de Gersdorff, Swaine, and Wood. They are aggressive, sure of their "rights," and not at all impressed by the committee. The inarticulate Mr. Pinkerton, swallowing hard as he looks up at La Follette's grim visage, finds them a great comfort.

The hearings have spread on the record incomparably the richest array of data on labor espionage ever assembled, and for this reason alone are worth many times the $15,000 spent so far. But will they seriously damage the racket? There are good reasons for skepticism. For many years espionage has been one of the normal running expenses of our great corporations, as routine a bookkeeping item as reserves for depreciation. Much testimony at these hearings has indicated that even for employers labor espionage may not be such a good investment: the spy agencies have been known to provoke labor trouble; their spies have sold information to the unions as well as to the bosses, and so on. But such things are pin pricks compared to the solid achievements of the agencies in breaking up unions. Espionage will go on, it is safe to predict, until labor is strongly enough organized to make it useless.

But cannot the government step in and outlaw the whole dirty business? Past experience would indicate it can't, or at least won't. "Of one thing the laboring people of the world may be sure: you have dealt the Pinkerton system a death blow." The year was 1892, the speaker the Episcopal Bishop of Chicago, his audience the Homestead strikers. Frick had shipped in 300 armed Pinkertons to open up the steel mills. The resulting warfare had shocked the nation. Congress was conducting two investigations and was drafting legislation prohibiting interstate commerce in armed strike-breakers. That year Cleveland was elected President partly as a protest against Republican industrialism at Homestead. But the Bishop was wrong about the Pinkerton system. The legislation was never passed, the investigations were whitewashes, and the public forgot.

The roots of labor espionage go back to the Civil War, which gave Pinkerton its start. It will take more than an investigation, however ably conducted, to tear them up. A liberal witness at one of last spring's hearings attempted a distinction between labor and military espionage: "My understanding of the Army Intelligence is that it spies on the enemy and not on the personnel of the organization." The point, of course, is that in this case the personnel *is* the enemy. The American worker doesn't yet believe in the class struggle, but the American employer has been Marxist for generations. When the workers reach the same state of sophistication, and there are encouraging signs, something will at last be "done about" the espionage racket.

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Issues and Men

BY OSWALD GARRISON VILLARD

THE European dance of death goes merrily on. In the past few weeks the press has reported the following developments in the armament race: The French Parliament has voted, 405 to 186, in favor of the government's vast new national-defense program, the Communists all voting aye. The outlay is to be 19,000,000,000 francs in the regular estimates and another 19,000,000,000 to be spread over the next four years, thus "heavily mortgaging the future," as the dispatches report. Of course, both the Defense Minister and the Air Minister reported that there was no cause for alarm. Yet the new appropriations were voted although the French Republic has no money to pay its international debts and cannot balance its budget.

From France's Polish ally comes this report: During the next four years Poland will spend one billion zlotys for defensive purposes, one-half of which will come from a recent French loan. Another bill, just introduced in the Parliament, calls for the expenditure of 264,000,000 zlotys for "general economic purposes," which sum, it is admitted, is in large part to be spent on defensive projects.

Berlin, next to Moscow, is setting the pace, and the news comes from there that Hitler's military expenditures for the year 1936-37 will reach the staggering figure of 12,600,000,000 marks. At the end of this first four-and-one-half-year period Hitler, so the London *Banker* estimates, will have spent no less than 31,100,000,000 marks upon armaments. This does not mean immediate economic disaster for the Reich, but it does mean that the scale of living of the masses is steadily sinking and that Germany is isolating itself economically. All of which, Hitler says, is necessary in order to revive the old Germanic virtues in his subjects and restore Germany to a position of equality in the family of nations—and in the race toward destruction.

From Moscow comes the almost incredible figure of an annual expenditure of $12,000,000,000 to make Russia safe from capitalist attack. Gone are all the old ideas of internationalism, of the solidarity of the workers of the world. Nothing more is heard of any refusal to slaughter the dupes of the capitalist countries. The whole national emphasis is as much on national defense as on anything else. France officially says that the Soviet air fleet is better than its own, and Stalin's standing army is admitted to be larger than that of any other country.

England still hopes to escape a capital levy to provide means for its new armament, on which, the government has announced, $7,500,000,000 will be spent in the next five years. Three new battleships will be laid down this year, and there will be a large increase of the air force.

And here's a dispatch saying that the French have decided to extend their "Maginot" line of fortifications to cover the Swiss and Belgian frontiers, although no one knows whether they will really avail in the next war. It is widely believed that the Germans are not in the least perturbed by the line and expect to jump over it with a huge airplane force and to go through it with tanks of high speed, or to pass the fortifications at night with small infiltrating squads which will then unite and attack the line from the rear.

If bankruptcy and/or war do not result from this mad race, then all precedents will fail. Meanwhile the costs, staggering as they are, are not the worst feature of this mad militarism. Everywhere the armies are becoming so powerful as literally to control the fate of nations. In Russia, if the Red Army decides to unhorse Stalin, he will go. Hitler will rule just as long as he holds the loyalty of his army. The horrible tragedy of Spain shows what can happen when the army turns traitor to the legally constituted government. In Japan the army seems about to have its way with country and people. Nearer home, the dictators in the Caribbean are intrenching themselves by making their armies more efficient. But they can be ousted on the day their troops decide that they want some other "leader" to rule them. So we have the astounding anomaly that the armies which were built up to safeguard countries from external attack have become the chief danger to the states they were to preserve. If it be objected that this has always been the case, I reply that the danger was slight when armies were small professional forces and not "nations in arms." Now that the whole life of nations is being made to center more and more about the military, and that those who control the military are controlling more and more the entire industrial machinery, it will be hardly surprising if soldiers arrogate to themselves the right to interfere in purely civilian affairs and to prescribe in peace time as well as in war time what form of government their countries shall have. Naturally they nowhere favor democracy. Democracy and militarism cannot mix—not even under the Stars and Stripes.

I wish the editors of *The Nation* would reprint from our daily press of 1914-17 some of the Wilsonian phrases against Prussian militarism and some of the editorial denunciations of the wickedness of that military spirit and its menace to the unhappy state that harbored it. I urge this not to show how mistaken the Wilsonians were but just to make people realize that if militarism was dangerous in 1914, it is much more so today; and that the new military technique is menacing democracy everywhere.

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BROUN'S PAGE

Mr. Davis Comes in Second

I HAVE never been among the most passionate admirers of John W. Davis, and so I was pleased when a less well-known lawyer put his eye out before the United States Supreme Court in the Associated Press case. Of course I speak as a partisan, since the issue concerned the Newspaper Guild and the right of reporters to organize. But even wholly neutral commentators remarked the brilliant performance of Charles E. Wyzanski, Jr., who spoke on the side of the government. Mr. Wyzanski presented his part of the case in forty-five minutes and reeled off citations without the aid of any notes or papers.

That was bravura stuff if you please, but for the first time I saw the nine remote men of the High Bench snap into attention. Even Justice McReynolds, who generally listens with his eyes closed, or maybe he doesn't listen, sat up and paid close attention. What impressed me was the fact that a legal argument was presented in a clear and concise manner without resort to feeble wisecracks or stock-company dramatics.

I know that John W. Davis holds an eminent position in his profession. Nor would I deny a desire for more color in Supreme Court cases. I think that very often vital facts are pushed aside by legal abstractions. But even if I want a somewhat more human bar of justice, that does not mean that I must fall for histrionics of a road-tour nature. I have in mind the long dramatic pause which Mr. Davis made as he gulped a glass of water and then exclaimed, "And now we come to the freedom of the press." As a matter of fact, Mr. Davis didn't even remotely approach it.

I wonder why busy men on the High Bench do not compel lawyers to stick a little closer to the point. I'm a layman, but if everything that John W. Davis said was relevant then I intend to put in a claim as an heir of Blackstone. For instance, the counsel for the A. P. discussed at some length the collective-bargaining features of the Wagner Act. Now I suppose the Supreme Court takes a lively interest in that moot constitutional point, but I fail to see how it touches the Watson case, which was brought solely on the complaint that a Guild member was fired for union activities in defiance of those sections which provide protection for the right to organize.

Moreover, Mr. Davis paid a high tribute to the novels of Dickens. I believe you can get them by clipping coupons from one of the metropolitan dailies. Aside from that circumstance I do not see what Dickens has to do with the Watson case or the conditions of newspaper work. I must also admit that the great barrister was generous in referring to reporters as artists and professional men. Those dear bohemians are so charmingly irresponsible that it does not, seemingly, make much difference to them or to anybody else when they get fired.

It was a blunderbuss defense which Davis put in for the A. P. He argued that the press association was not engaged in interstate commerce, but then he added that even if it were, Morris Watson was not one of the cogs in the flow of news. The reporter, whose lot had previously been identified with that of the creative artist, suddenly became a mere mechanical worker having nothing to do with the progress of news across the country.

A second string to the Davis bow was the assertion that the A. P. is not even engaged in commerce since it is an organization which takes no interest in money. As I have said, the First Amendment and the freedom of the press were called upon. But the chief reliance of John W. Davis was the due-process clause, and he could have cut the whole core of his argument down to five or six sentences. When he really got to talking turkey, the lawyer advanced the theory that an employer has a right to fire an employee for any reason at all, or for no reason.

I must say I was a little irritated when the silver-haired leading man made some crack touching on the retirement. age of judges. If memory serves me right he said, "If there is any power of reasoning in this aged brain . . ." Unfortunately comments from the sidelines are not customary in the presence of the Supreme Court or I might have tried to gather a claque to shout, "No, no, no." After all, there is still very small objection to the retirement of newspapermen at an age much earlier than seventy—generally not at their own request.

Naturally, I have no notion whether Mr. Davis won or lost the case for his client. I gravely suspect that in most instances the arguments before the Supreme Court do not matter. The issues swing on other factors. But it did seem to me that here was a shoddy performance. The best compliment which one of the admirers of John W. Davis could muster after the argument was, "Well, you'll have to admit that he was smooth." I'll gladly admit that. To me Mr. Davis is not only smooth but glazed in the brilliancy of his surface. But when one scratches the varnish with so much as the point of a pin one finds a soft wood underneath. No one will ever catch a Tartar by piercing the cuticle of Mr. Davis.

He did bring up a very vital issue. If the Supreme Court upholds his contention, freedom of the press will be a very scorpion to beat the life out of all social legislation. If Mr. Davis has his way, the newspapers of the nation will become absolutely lawless, since no statute will be able to touch them. Neither fire nor building inspectors can make any complaint about a rattle-trap if only it houses a paper. To stress any kind of violation would be to attack the freedom of the press. The slogan of the publishers may well become, "It may touch the other fellow, but not us. We're different." And the way for any local Hitler to get a start will not be to hang paper but to buy one.

HEYWOOD BROUN

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BOOKS *and the* ARTS

FANATICS—AND HOW TO KNOW THEM

BY JOSEPH WOOD KRUTCH

"WHAT'S stinginess in other folks is only thrift in us." Thus, I seem to remember, some professionally homely philosopher proposed to solve in pleasantly simple fashion a difficult problem in discrimination, and the same technique has been employed to differentiate between various other troublesome twins. Superstition is said to be the religion of someone else, license a liberty which we do not approve, and sentimentality only the indulgence in an emotion we do not share. Indeed, some would doubtless go even far enough in this direction to add that definitions like these are realistic if one accepts them and cynical if one does not.

Possibly wisdom can get farther than this, and I am not at the moment very much concerned with stinginess and thrift or with superstition and religion. Like a great many other people I am, however, very much aware just now of something which some of us call fanaticism, and I have not, so far, been able to convince myself that a fanatic is merely a man whose convictions I do not share. It is plain that many with whom I disagree do not seem to me fanatical, and hence there must be something, not about opinions themselves but about the way in which they are held, which constitutes the essence of what I call fanaticism.

One sign of it is certainly the tendency to set up some one and all-sufficient test of salvation, some single opinion upon which all else must depend. A man is not a fanatic if he stresses the importance of diet to health, but if he is sure that raw carrots will cure everything from cancer to alopecia, then one begins to suspect an element of unreason in his conviction; and one may say the same in connection with doctrines more widely current. Thus to maintain that economic factors have had more influence than used to be recognized upon manners and morals, art and science, is to express an opinion both sound and important, but to regard as a kind of blasphemy any consideration of other factors is to pass over into a degree of fanaticism which compromises the value of the very truth proclaimed because it insists that we must discard what we already know and replace what we should only add to. No one can estimate what the controversy between believers in heredity and believers in environment has cost the sciences of biology and sociology alike, because of the time wasted by men who might have found out a great deal more about a complex interrelation if they had not been so passionately determined to set up alternative propositions neither one of which was tenable.

Faith is dangerous not so much because of what believers believe as because of what they do not believe; because of the truths which they refuse to accept rather than because of those which they do. Your Communist is right to hate the abuses of the power of money. But it is too bad that he hates other evils so little that in attempting to abolish plutocracy he should not notice that he has handed a people over to the power of a bureaucratic dictatorship. One thing at a time is a dangerous motto. Too often it means that we are never right—only alternately wrong in opposite ways.

Perhaps no line can be drawn to indicate where rational conviction ends and fanaticism begins. Doutbless we tolerate more readily the beginnings of fanaticism when fanaticism points in the direction of our own beliefs. But no matter how broad the no man's land between the two, rational convictions on the one hand and fanatical beliefs on the other do exist. Nor is this all. For if it is difficult to formulate abstract definitions which seem very satisfactory, it is easy to propose certain practical tests by which one may be discriminated from the other, and I shall be bold enough to propose one which works to my satisfaction so far as certain all but omnipresent controversies are concerned.

The fanatic is to be known by his all-or-nothing attitude, by his tendency to assume that every detail of his creed is as important as every other, by his inability to conceive that any distinction can be made between the most minute criticism and the most complete repudiation. How prevalent this sort of fanaticism is among professed Communists is plain enough from their tendency to break up into sects which hate one another rather more vehemently than they hate those who reject what to us outsiders seems the more fundamental tenets of their creed. That, doubtless, is their own affair and presents an exact parallel with the manifestations of the *odium theologicum* formerly exhibited by Christian sects, who saw no reason to believe the very Turks more hopelessly lost than those who differed with them over the question of infant baptism. But it is not, of course, only in their dealings with one another that Communists exhibit their fanaticism, as I personally have reason to know.

A month or two ago, in company with a long list of persons some of whom were men of considerable distinction and impeccable honesty, I signed a petition urging that Leon Trotsky be given an impartial hearing on the charges of conspiracy brought against him in an unfriendly country. I had not at the time and I have not now any sure conviction that he is innocent or that he is guilty of those same charges, and my interest was exclusively an interest in fair play. What was my amazement to hear us all denounced shortly after as defenders of

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Trotskyite assassins and fascists. I know that I had previously been denounced as a reactionary capitalist and that anyone who had cared to inquire was fully aware of the fact that, not being a Communist of any shade or variety, I could not possibly be a "Trotskyite." But it is the essence of fanaticism that the fanatic is incapable of conceiving not only that all his opponents are not exactly alike but that it is possible to be anything except an extremist. I am a believer in democracy, but it would never occur to me to feel that I could not criticize some act of a democratic government without ceasing thereby to be a believer in democracy, or to doubt that I could, in the interest of fairness, think a trial for Trotsky desirable without thereby being a Trotskyite. And therein, I believe, is exhibited one of the essential differences between those who are fanatics and those who are not. To a fanatic a thing is either all true or all false, and it is also either the only thing that is important or not important at all. All who are not for *everything* he is for are against *everything* he is for, and of course there exist only the alternatives which he chooses to recognize. If I say that I am a democrat, then I am actually only a hypocrite. To him, everyone who is not a blind worshiper of Stalin must be a blind worshiper of Trotsky.

West by the Rain

BY DAVID SCHUBERT

If the wind blows in the locust tree,
The city, upside down in the gutter,
Stirs and explodes in a pool of rain.
The towers, if a strong voice spoke,
Would sink past plummet line.
Slum and thug and heart of the town
Concentrating on lost sweet Adeline,
Even if a good breath were blown,
Their shadows hanging upside down.

Building the water the sound of a mad
Bird, bird, bird, bird, bird,
Singing unlistened to, unheard
On this last branch of sky gone red
With the aura from a trolley shed,
Here, in New York, when the bells are ringing
St. Frances into Convent Avenue—
City, dull or aflame, the sparrows sing.

Against the lesser darkness of the night
Injustice keeps a lantern lit
In the street straddled by rain.
The profile of the rain in the pool
Where the sidewalk sinks to grass in less than soil,
The wind blowing in the tree,
Accepts the water's city with a total infidelity.

City, city, city, city, city—
Talking transportation, a wind blew out of the sea.

BOOKS

Something of an Autobiography

SOMETHING OF MYSELF. By Rudyard Kipling. Doubleday, Doran and Company. $2.50.

KIPLING was sometimes an awkward messiah. As the knight-errant of the British middle classes he was slightly uneasy; as the impresario of the Empire he grew pompous. But he was always a skilled and conscientious craftsman, an imaginative artist. This fact, often lost sight of in the tumult and the shouting of his career, is made clear in the opening pages of his autobiography.

Here is the account of a gifted young man who was bred by the nostalgia and disease of the Anglo-Indian tradition to ambition, hard work, and daring; who at the age of twenty-three, treading on the heels of "the late Mr. Oscar Wilde," confronted literary London with an array of virile talents. The decade before the Boer War gave to Kipling an unmatched influence. "That period was all, as I have said, a dream, in which it seemed that I could push down walls, walk through ramparts, and stride across rivers." It befell the chronicler of the hill tales to kindle, in a sense create, that odd worship of a moribund empire which marked the close of the century in England. The ageless "law" that the superior races must dominate the weak, the affirmation of rosy deed over pale thought, of faith over intellect, the sacrifice of individual happiness in behalf of national aggrandizement—these notions have for us a ring both intimate and ominous; and it was Kipling, one recalls, whose dazzling slogans spread these notions across the seven seas. It is true that, as Britain's apostle of action, Kipling lived an uneventful life of thought; that this believer in the individual's immolation passed his days in the pursuit of rather enjoyable occupations. Indeed, England's most fervent lover seemed unable to bear her shores and was usually to be found in Vermont, Australia, or South Africa; the staunch advocate of the white man's supremacy was most at ease among the "pore benighted 'eathen." It did not matter. The audience was delighted. The course of history is influenced by such understandable inconsistencies.

The more penetrating studies of Kipling, instead of attacking his "imperialistic iniquities," have preferred to deal with his basic portrait of man, for which this philosophy was the gilded frame. Neverthless, Kipling's career, if no longer so promising a target for the arrows of the outraged intellectuals, seems at least a misapplication of valuable ability. For "Something of Myself" reveals clearly the dichotomy of Kipling's personality. From the start of his autobiography to the end the guardian of the Empire is never so appealing as when he discusses the sorrows of childhood, philosophic horses, or domestic intrigues. Children, animals, and the small doings of the day—these are Kipling's métier. One may question his educational theories but hardly the account of his school friends and teachers at Westward Ho. When he describes the fever, the recurrent heat, and the endless boredom of his youth in the India of the eighteen-eighties, he is eloquent, but when he mentions talking bears, Pilorus Jack who was the official shark of Wellington harbor, or the wild horses near Auckland, he is almost without equal. As Kipling grows older, tighter, smaller, losing the ingenuous and pungent manner of his apprenticeship, one feels unfortunately less

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respect for his point of view; yet in this chief gift he remains untouched by the judgment of time. His analysis of the American scene, though not without satiric insight, is at bottom more parochial than the society it describes. But who will ignore the "most mellow plumber" who comes driving up to Bliss Cottage with his sticks of dynamite rattling about under his buggy seat? The statement on the Boer War is possibly the most obtuse that has yet emanated from the mind of an intelligent man. But again there is the swift transition to the zebra père who carefully lifts the restraining fence for his family's exit, to marvelous spitting llamas and bull kudus, to M'Sliban, the ailing orphan lion, who feasted so deliciously on special mutton and Mrs. Kipling's fingertip.

It is in these interregnums of "Something of Myself"—just as it is in the "Jungle Books" or "Stalky and Co." rather than in the "Barrack Room Ballads" or "The Day's Work"—that one feels the happiest manifestations of a manifold talent. Yet in this case, fine as they are, are these episodes enough? Through conviction and design Kipling offers simply the extrinsic pattern of his life. What were his ultimate reflections about his friends and enemies, his achievements, himself? What doubts and conflicts lie buried beneath the calm polish of his art and the dogmatism of his preachings? Of such matters he barely hints. The life of a writer is, of course, seldom as interesting as the life he writes about. When the writer, as here, chooses to eliminate the pivotal experiences that must mark the development of even a Victorian favorite, the result can be only something of an autobiography.

MAXWELL GEISMAR

Soda Parlor in Brooklyn

LOW COMPANY. By Daniel Fuchs. Vanguard Press. $2.50.

IN HIS three novels, "Summer in Williamsburg," "Homage to Blenholt," and "Low Company," Daniel Fuchs has been striving to write a fictional "dictionary" of the people of Williamsburg, Brooklyn, and nearby sections. His latest novel derives logically out of its predecessors. Most of its action takes place in a soda parlor at such a place as Brighton Beach or Coney Island. The protagonists are from the same stratum of society as were those who appeared in the earlier novels, and the action is confined to three days, during which time we observe the characters working out their separate destinies. There is Spitzbergen, the soda-fountain proprietor, worrying over business; Dorothy and Lillian, two succeeding cashiers; Shorty, the soda fountain man who is scheming to seduce Madame Pavlovna, a local corsetière; Shubunka, ugly, repulsive, and pathetic, who has been conducting a string of brothels and is being eased out by a gangster combination; Moe Karty, a former public accountant whose interest in the races has become a disease driving him down the steps of degradation; high-school boys and girls who come to the parlor for sodas and flirtations, and others. We gain a knowledge of these people, a conviction of them as human beings, and a vivid impression of the serio-comic procession of life that passes in and out of the soda fountain.

Fuchs views life essentially as a spectacle. At the conclusion of the story, just as in his first novel, we find a character who gives expression to the author's view: "The life of Neptune Beach was poor and empty, mean, without beauty or aspiration. . . . He had known all the people at Ann's [Spitzbergen's soda parlor] in their lowness and had been repelled by them, but now it seemed to him how their evil appeared in their impoverished, dingy lives and, further, how miserable their own evil rendered them. It was not enough to call them low and pass on." They must be "picked to pieces," understood, and contemplated with sympathy. Sympathy is a dominant note in Fuchs's writing. He has a keen eye, an excellent ear for the speech of his characters, a quick perception of the grotesque, the whimsical, the pathetic, the tragic in modern crowded urban life. And underlying these capacities is a genuine respect for his characters, for the human animal. No matter how repulsive his characters may be, as witness his Shubunka, he portrays them with sympathy.

The present novel, like its predecessors, is constructed almost like a drama. There is considerable dependence on dialogue, there is a fairly strict effort to obtain objectivity, and an ingenious sense of plot and construction is displayed. In fact, the author's gift for construction threatens to become a defect. The concluding pages of "Low Company" unite and complete the novel's many stories in such a fashion that one almost sees the seams and stitchings. Yet I know of few novelists in America today of Fuchs's age who possess his natural talent and energy or his sense of life. Further, his novels have their value as social documentation. They contain the data of experience which tell us concretely how Americans are made, how today's social structure impresses habits, ambitions, and patterns of speech and feeling upon the consciousness of people. And they are rich with the poetry of the city streets.

JAMES T. FARRELL

The English System

CABINET GOVERNMENT. By W. Ivor Jennings. The Macmillan Company. $5.50.

THIS is an indispensable book for every student of the British political system. No other volume exists which throws a light so clear and so revealing upon the operation of the Cabinet system. It is based not merely on a full survey of the printed sources; Dr. Jennings has obviously had access to new material, both written and verbal, which has had great influence upon his conclusions.

Dr. Jennings has not written a historical work—for the most part he confines himself to the experience of the last hundred years—nor has he sought to evaluate the system. Save for an occasional emphasis by adjective, he has been content to describe the system in being. He displays remarkable accuracy; except for an occasional error in date, a failure to realize that Cabinet minutes go back at least to the younger Pitt, the ascription of a speech to Mr. Lloyd George which is now known to have been written by General Smuts, it is difficult to see that he has misstated or missed anything of significance. He is not, indeed, a Bagehot; there is not in his pages the flashing phrase that made the "English Constitution" a timeless classic. But this is a work so revealing to the specialist and so interesting to the general reader that it will find a place beside those half-dozen books, Dicey and Redlich for example, which shape the thoughts of men about the institutions with which they deal.

Naturally enough, the most fascinating part today of Dr. Jennings's book is the section that deals with the relations of the Crown and the Cabinet. He has no difficulty in showing how far from the facts is Bagehot's famous theory of automatism. The Crown's influence is both wide and profound. It is not merely that the royal views must be treated with deference; the fact that they must be so treated acts as a preventive check, especially on the left, against the introduction of highly controversial legislation. Dr. Jennings is fully

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NATIONAL SHARECROPPERS WEEK—MARCH 1-7

PRESIDENT'S FARM TENANCY PROGRAM IGNORES TERROR IN THE SOUTH

WASHINGTON—Sharp criticism of President Roosevelt's farm tenancy program was voiced here by representatives of the Southern Tenant Farmers' Union because the President had ignored the entire question of civil liberties in the South. "No proposed solution to the sharecropper problem can be effective," they declared, "unless it protects the sharecroppers, both Negro and white, against the rampant terrorism of the planters and guarantees their right to organize, to meet publicly and to strike."

Federal legislation to aid the sharecropper will be meaningless unless the master-slave relationship between landlord and tenant is abolished. This can only be done through the medium of a strong union of tenants and sharecroppers, guaranteed the privileges and rights of workers and human beings.

IN NEW YORK—

ALL WEEK—March 1-6—Performances of John Wexley's new play "Steel" at the Labor Stage Theatre, 106 W. 39th St., for the benefit of the Southern Tenant Farmers' Union. Photograph exhibit in the lobby, sharecropper speakers and singers between the acts. Prices: 35c, 55c, 83c.

LUNCHEON Saturday afternoon, March 6, 1 p.m., at Rosoff's Restaurant, 147 W. 43rd St. Speakers will include J. R. Butler and H. L. Mitchell, president and secretary of the S.T.F.U., W. L. Blackstone, sharecropper member of the Special Committee on Farm Tenancy, Mrs. Frank Weems and other sharecropper visitors; also, Charles H. Houston, special counsel for the N.A.A.C.P. Reservations: 85c.

WIND-UP RALLY Sunday afternoon, March 7, 4 p.m., at the Harlem Labor Center, 312 W. 125th St. Speakers will include union officials, Walter White, secretary of the N.A.A.C.P. and Frank Crosswaith of the Negro Labor Committee.

FOR FURTHER INFORMATION call Sidney Hertzberg, National Sharecroppers Week, 112 East 19th St., ALgonquin 4-0346.

THE SOUTHERN TENANT FARMERS' UNION

"The Voice of the Disinherited"

Organized in 1933, the Southern Tenant Farmers' Union is today the dominant labor organization in the Southwest. Its 30,000 members, Negro and white, include sharecroppers, tenant farmers and day laborers in Oklahoma, Texas, Arkansas, Mississippi, Tennessee and Missouri. It is the hope and inspiration of the farm workers of the South.

Its organizers have been kidnapped, beaten and murdered; its strikes have been met with unabating terror. But it has never asked for a truce in this battle—untiringly it has fought on in its war for the freedom of the cotton slaves. Despite the relentless opposition of the planters, its third annual convention, held in January at Muskogee, Oklahoma, welcomed 150 delegates from 125 local unions. Its efforts have been endorsed by the American Federation of Labor, the United Mine Workers of America and other important unions.

It was the fight of the Union that first awoke America to the plight of the sharecropper; it was the fight of the Union that made the sharecroppers "front-page copy" on every newspaper of the nation. To the Union must be given credit for the formation of the President's Special Committee on Farm Tenancy; to the Union must be given credit for the arrest and conviction of an Arkansas town marshal on the charge of slavery.

But the fight of the Union has just begun; safety and security for the sharecropper lies not with governmental agencies run by the landlord but with his own organization. The Southern Tenant Farmers' Union is this organization—but it can not finance this fight alone; the havoc of the tragic flood has added to the heavy burdens of an already penniless membership.

The volunteer organizers who travel the highways at night and spread the story of unionism by day must be clothed and fed; literature must be issued; planters' terrorism must be fought in the courts; jailed unionists must be defended. The Union's 1937 budget for this job is $18,000.

WE NEED YOUR HELP!

The week of March 1-7 has been designated as National Sharecroppers Week by the Southern Tenant Farmers' Union and the Workers Defense League. During the week, hundreds of mass meetings in every section of the country will publicize the plight of the sharecropper, describe the fight of the Union.

In order to function in an efficient manner, the Union must be freed from financial worries. We are appealing to the readers of *The Nation* to help raise the modest union budget of $18,000 for the year during National Sharecroppers Week.

Won't you help? Your check will be more than a gesture of sympathy and solidarity; it will mean that the Union can continue its fight for the emancipation of the sharecropper from a vicious and barbaric feudal slavery. MAIL THE COUPON TODAY! EVERY DOLLAR COUNTS!

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OUR INEFFECTIVE STATE

by William H. Hessler

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aware that a British monarch might easily become an active source of political power in the state, and the main emphasis of his argument is on the inescapable necessity of accepting Bagehot's theory if difficulties are to be avoided in the future. From this angle, the abdication of Edward VIII may well prove a precedent as significant for the future as the Revolution of 1688.

Dr. Jennings makes less than I should myself make of the importance of the inner Cabinet; and I doubt whether he gives quite the required emphasis to the outstanding position the Prime Minister has come to have in the post-war years. I should have liked a rather fuller treatment of the relation of the Cabinet to the House of Commons. Subject to revolt on the rare occasions—like the Hoare-Laval incident—when the Cabinet has made a grave blunder, the House has become no more than its organ of registration. Its importance is, normally, as a place for the ventilation of grievances on the one hand and as a breeding-ground for ministers on the other. The selective function of the House is one of the things it does really well.

Americans will read with special interest Dr. Jennings's account of the relation between the minister and his civil servants. Roughly speaking it may be said of Great Britain that there are three types of Cabinet ministers. There are those, like Lord Haldane and Mr. Herbert Morrison, who know precisely what they want to do and are determined to get it done; they find the civil service a devoted instrument of incomparable power. There are those with some vague sense of direction but no special urgency of precision; their power to get things done will depend very largely on the coincidence of their ideas with the departmental tradition. There are Cabinet ministers, again, who arrive at the departments with no policy at all and look to the departments to find them one; they become the mouthpiece of the officials, and it is largely the accident of public policy whether they make an impact of any kind upon affairs. Granted, this is to say, a civil service as able and as efficient as the British, its own views will enormously shape the course of affairs unless it is under political direction that has charted its course with a clear and vigorous sense of all that is involved in the voyage.

HAROLD J. LASKI

The Lure of the Land

MORTGAGE YOUR HEART. By Sophus Keith Winther. The Macmillan Company. $2.50.

STRAW IN THE WIND. By Ruth Lininger Dobson. Dodd, Mead and Company. $2.

THE INVADERS. By Stuart David Engstrand. Alfred A. Knopf. $2.50.

NOVELS about the land are one crop which never fails. Flood and famine, lost farms, the burden of debt, and plagues of locusts do not interfere with the harvest. In fact, if anything, they increase the yield, for you cannot have a farm novel without a villain, and the weather and the banks serve in turn or jointly to provide an adversary. Most farm novels are likely to be above the average of the novels in any given season. They are serious, simple, natural; in novels as in life the weather is an unfailing topic of conversation. And descriptions of men working in the earth and under the sun until they are soaked with sweat inspires in the city reader at once a feeling of guilt and a deep sense of relief.

The land, then, is a good subject for a novelist to choose if he wants to get by with some credit. For the land itself

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is always interesting. But if he wants more than merely to get by, then he must work harder at farm novels than at certain other kinds. For a great book he must, let us say, write "The Peasants," in which the elementalness of the land was transferred to the characters and they became an aspect of the soil, the rain, and the sun. The three novels which head this notice are all in their various ways interesting. Mr. Engstrand writes of truck farmers in the Southwest defying for their little moment the cannery which overshadows them and sucks their sustenance. Miss Dobson's farmers are also religious bigots, members of the Amish sect in the Middle West. Mr. Winther's local is Nebraska, and his farmers are Danish peasants who must not only farm the American land but learn the American ways in order to understand their own children.

Of the three books perhaps Miss Dobson's is the most successful because she has not depended solely upon the land for her drama but has added the pressure exerted by a fanatical patriarch who dominates his family under regulations laid down by his God. In spite of his farm strike and the kerosene poured into the canning vats, Mr. Engstrand's persons are brittle and unreal. Mr. Winther's bewildered, honest, hard-working Danes are stock characters for farm novels. In each novel the mother is silent, burdened with children and labor, confined to the world of kitchen and field. The men occasionally get out, the sons to marry, the fathers to cope with the economic realities of disposing of the crops. The daughters are likely to rebel. The pattern, in short, is traditional and contains no surprises. Only the land is real, and for the purposes of first-rate fiction black earth, weeds, growth and decay are not enough.

It is perhaps impossible to invent a formula which would make farm novels better than merely good enough. But young and aspiring novelists should be warned. Because the background of land and weather is so interesting, because the battle between man and nature is in itself so dramatic, it is imperative to control the background and the battle, to manipulate them freshly and powerfully. The best novels are those in which the characters rise to some sort of greatness. Farmers are not in themselves important because they are close to the earth. They must be the significant protagonists in a drama for which the land must serve merely as backdrop. When kings talk about the weather, the weather is relegated to its proper place.

DOROTHY VAN DOREN

American Novella

THE SEA OF GRASS. By Conrad Richter. Alfred A. Knopf. $1.25.

QUITE recently Whit Burnett, editor of *Story,* raised up his voice in defense of the term "novella," as used to describe a certain unity of impression in story-telling which otherwise might be critically ignored, or rather unhappily designated "novelette" or "long-short-story." Well, then, Mr. Richter has produced an excellent example of the novella. It is an interesting form, largely because it is a determinable form and therefore conducible to artistic ends. It makes a very definite and single aesthetic statement, whereas the novel makes many statements; though I confess the only way to mark it off from the short story would be to make clear that it is not a *short* story.

Mr. Richter hasn't, in our reviewers' language, written "an important book" or "a significant book" or even "a book of

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genius." Simply he gives you a first-rate yarn, exquisitely conceived and concisely and deftly told within 149 pages, in the form of a romantic novella. Here you can receive the maximum of sentimental excitement at a minimum of wasted time. You don't have to go like the wind to enjoy Mr. Richter: you can read the whole of "The Sea of Grass," and I recommend you to do so, at one sitting.

It is a tale of the historic Southwest, where all the gentility of the South met all the wildness of the West and combined in the heroic character of Colonel Brewton, gentleman rancher on the old prairie, decidedly a Mortal of the First Rank. As you might expect, when the Colonel's beautiful faithless wife returned to him, after an unexplained absence of twenty-odd years, he merely "bowed over her hand, asking with unfailing courtesy about her health"—though, it must be added, "his furrowed face was a mask and his voice granite." For Mr. Richter sees everything through the golden haze of his nostalgia for that vast, lost sea of grass, the Southwestern prairie. Everything is magnified in his vision to more than life-size: the cattle roaming like megatheria, the tents and wagons of the usurping homesteaders like some mephitic caravansary from the decadent East, the horses like snorting dragons, the prairie itself like a flood of great waters, and the men and women epical and colossal. It is a story that ought to be enormously popular, if only because it is so familiar: the glamorous tale of the proud he-man and the slender, jewel-eyed beauty, and their difference, and her infidelity; and then the tragic, wild, heroic bastard with the blonde hair and the quick temper and quicker trigger; and then the return of the erring beauty to the he-manly bosom after many silent years; all seen through the yearning eyes of a young man who grows mature in the telling. I would take the liberty here of suggesting to all aspiring romanticists that they cast their tales in the interesting form wisely chosen by Mr. Richter, and so bring about a revival of the romantic novella.

MICHAEL SAYERS

DRAMA

Strike Play

HAVING abandoned Fourteenth Street the Theater Union has come to life again at the Bayes, which old inhabitants will remember as the roomy playhouse built on top of the Forty-fourth Street Theater in the days when there wasn't any labor stage but the ground floors of Broadway and adjacent streets were not spacious enough to hold what we had not yet learned to call bourgeois drama. Moreover, the Union has built itself a very large and impressive set for its first play in the new home; but the program assures us that the policy will be the same, and one has not been long in the auditorium before the assurance has become unnecessary. John Howard Lawson's "Marching Song" is an occasionally effective but generally rather rambling and diffuse play about a general strike and why it must be won.

It is some fourteen years since I saw the first of Mr. Lawson's plays to be produced in New York. It was a yeasty, adolescent affair called "Roger Bloomer," and when the Guild did "Processional" two years later we all expected great things of a man who indubitably had much chaos within. For a long

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time the trouble seemed to be that Mr. Lawson did not know what he thought, but when at last he found out he seemed to know almost too well. Before he embraced communism he was too confused to write a really effective play; since his conversion he has been almost too clear. Knowing all the answers is, for a playwright, almost as bad as not knowing any. It is difficult to search convincingly for something throughout three acts when you know where it is all the time.

This, at least, is my guess as to the source of a certain languor which pervades what ought to be a rousing melodrama even if it could not be anything else. "Marching Song" has been given a topical significance by making the strike with which it is concerned a sitdown affair, and the ostensible purpose is to trace the course of events from the eviction of a blacklisted worker to the moment when the men in a power-house make it unanimous by throwing off a switch. Unfortunately, however, Mr. Lawson remembers too much of the technique he learned in the days when he was groping. Instead of sticking to the narrative and providing what his title seems to promise—namely, an inflammatory melodrama—he wanders about rather aimlessly from character to character, allows most of the action to take place off-stage, and only remembers in the last half hour that he isn't really looking for anything. If I may judge from the moments at which the Theater Union audience applauds, what it really wants is a revolutionary pep talk, and that Mr. Lawson provides only at odd moments.

No one is likely to expect high seriousness from a play called "Yes, My Darling Daughter" (Playhouse), but it actually turns out to be as engaging a polite comedy as the season has seen. I suppose that there is nothing new in the main situation, concerned with the furor created in a once unconventional family when daughter threatens to follow mother's footsteps down the primrose path of free love. What is delightful is, however, a certain urbanity very refreshing after the brittle smartness of the current Broadway fashion in humor. "Yes, My Darling Daughter" is never actually serious for a moment, but neither does it ever for a moment lapse into farce, and it proves again that laughter which grows out of an idea consistently developed lingers longer on the lips. Perhaps the expert playing of Lucile Watson makes the comedy seem better than it is, but it seems very good indeed.

JOSEPH WOOD KRUTCH

"An Enemy of the People," which completes a two weeks' engagement at the Hudson Theater on Monday, March 1, incurs the twofold stigma of a period piece and a revival, since it reclaims a vehicle popularly supposed to be dated and commemorates the personal triumph of Walter Hampden as Dr. Stockmann. Yet Ibsen's medical officer of the baths is a conception far too high-spirited to submit to inspection from a distance, and certainly Mr. Hampden's enactment of the part is not of a sort which invites condescension. In his hands Stockmann is a force clearly seen at all points, both as the projection of a point of view and as an individual whose refusal to temper virtue with expediency leads him to commit the sin of complete ineffectualness. Mr. Hampden has staged the play with all the briskness possible to such an expository vehicle and has been uncommonly resourceful in his choice of a supporting cast. Mabel Moore as Mrs. Stockmann, C. Norman Hammond as Burgomaster Stockmann, Dodson Mitchell as the editor Hovstad, and Hannan Clark as the printer and apostle of moderation, all contribute individual portraits of merit and intelligence.

B. B.

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FILMS

German Revival

MY REMARKS a fortnight ago concerning the inferiority of most films to the novels and plays from which they are derived were not of course directed against every film that is so derived; nor when I said that I preferred a "regular" movie to most of the "classics" did I mean the average movie. I was thinking only of the best, which may or may not be adapted from something else. Of three very successful movies that spring at once to mind out of the recent past, "The Informer," "Thirty-nine Steps," and "Four Hours to Kill," the first comes from a novel by Liam O'Flaherty, the second comes from a yarn by John Buchan, and the third comes from I know not where, if indeed from anywhere. The point is that their sources do not matter; a spectator in each case would be completely absorbed in what he saw, and completely satisfied in the sense that nothing he saw would occur to him as either foreign to the whole or imperfectly made over from something previously existing in another form.

We still need to know what the form of the movie is. Some directors know it by instinct, and perhaps every citizen knows it better than he could say; but the analysis has still to be put on paper. Meanwhile it is edifying to see now and then an older film which has achieved a position for itself in histories of the art, since such a film is pretty sure to have clear and formal virtues, and since with the passage of time these virtues will have become easier to dissociate from their accompanying subject matter. From G. W. Pabst's "The Love of Jeanne Ney," for instance, revived the other night for a special audience by the Museum of Modern Art, one could learn a great deal not merely about German "technique" ten years ago but about the importance, as well as the unimportance, of technique generally.

The ingenuity of Pabst was still impressive; one could remember with pleasure Harry Alan Potamkin's sentence about the camera going "velvet-like over the scene, veneering the picture, squaring the corners elegantly and rounding circles with grace"; and one could relish Iris Barry's program note about the forty cuts (talk about montage!) in a single sequence lasting only three minutes. But in a larger sense the technique—and Potamkin knew this too—was deficient. For there was a confusion of themes, and indeed a wavering between them; Pabst having been unable to make up his mind as to whether he was illuminating the history of revolutionary Europe or telling a story about two lovers stranded in Paris. The film was half documentary and half detective; which implies a formal failure in the long run more telling than any temporary success with the technique, as Potamkin says, "of tidbits." At the same time the tidbits were delicious. If we have fewer of them now it is partly because of the revolution worked by sound since 1927; we have something now that we lacked then, but we have lost a certain virtuosity of the seeing and interpreting eye. Movie audiences had grown skilful in piecing flashes of vision together; the films were rapid and often very brilliant, even when they had little to say except to a pair of eyes hung in the silent and now historic darkness.

MARK VAN DOREN

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Letters to the Editors

A German University Today

Dear Sirs: Any attentive person walking the cloistered precincts of our American universities during the last four years has heard kind words, from time to time, about the Nazi purging of the German universities. Without discussing the reason for these remarks, let us look at a picture of the once great University of Heidelberg that appeared recently in an English scientific weekly, *Nature,* and decide whether we want that kind of higher education here.

In the current catalogue of Heidelberg, Rector Groh is now entitled *Führer* Groh. The third most important officer is Ernst Kreuzer, a student and member of the senate, who is also the "officially designated undergraduate leader at Heidelberg of the Nazi Student Union of the Nazi Body." After his name come those of the deans and other officers. Whereas the university had 215 teachers in 1932, there are now 180, of which only 99 date back to the pre-Nazi regime. The security of university posts can be judged from the following figures: in the faculty of science, 31 per cent are new appointments, in theology 36 per cent, in law 38 per cent, in philosophy 49 per cent, and in medicine 56 per cent.

The Institute for Historical Jurisprudence has discarded its old name, "Rudolf Mosse Stiftung," as a painful reminder of the Jewish origin of the endowment, which the institute nevertheless retains. A list of some of the courses offered in various departments indicates the trend of thought in German university circles better than any propaganda:

Law: Recent Political History, Folk Elements in Law, Family Heredity, Folk and Race, German Military Law.

Philosophy: The Nature of the Folk Community, The Nature of Ancient German Religion.

History: Herr Minister Schmidthenner, Professor Ordinarius of History with special reference to the history of war and military knowledge, will give courses on the World War, Germany's Right to Colonies, Being and Action of the German Soldiery.

The Student-Faculty Discussion Group has the following topics on its program: Education of Nazi Youth, Labor Service and Military Law, Claims of the Germans in Czecho-Slovakia, Laws Concerning Race, Care for Healthy Inheritance, Eastward Expansion of Germany.

The university is now merely a branch of the propaganda department of the Nazi government. Those professors who wish to turn proved scholars from their positions because of race or creed had better look at the results which necessarily accompany such methods.

HUGH H. DARBY

New York, February 18

Harsh Words from a Friend

Dear Sirs: For nearly twenty years I have read *The Nation* and written for it. During that period I have always felt that no matter how sharply I differed with the opinions and attitudes of particular editors and with the editorial policy which they directed, I could always count on one thing: that *The Nation,* when confronted with a situation involving fundamental issues of truth, justice, and moral and intellectual integrity, would deal with it honestly and courageously.

The Nation faced a test of this kind during the last war and met it more creditably than most if not all of its contemporaries. *The Nation* faced such a test in connection with the Moscow trials, and in my opinion failed—patently, grossly, disgracefully.

It seems to me that when you printed Behind the Moscow Trials you made your debut in a way of thinking and writing that violates every standard that three generations of editors and writers have labored to establish for *The Nation.*

You admit, by implication at least, that the frame-up of Trotsky *was* a frame-up. Yet you condone this frame-up on the ground of political expediency. But can you condone one frame-up without condoning *all* frame-ups—without admitting the frame-up, the lie, the slander into the category of legitimate political tactics? In a hundred years, you say, we'll learn the truth about the trials. Nonsense. Where these obviously cooked-up confessions have involved persons and actions outside the Soviet Union they have been already shattered to bits by Trotsky and by the easily verifiable evidence he has produced. Holtzman and the Hotel Bristol! Piatakov and his mythical visit to Oslo! And now Romm and his mythical meeting with Trotsky in Paris!

Must we depend upon the conservative press, which *The Nation* so often condemns for its silence on injustice, to discharge the task that you obviously should be doing—the task of fitting these exposures together, weighing their dreadful significance, and coming to the conclusions toward which they point? Must we who have served *The Nation,* and trusted it, now think of it as just another magazine?

JAMES RORTY

New York, February 16

Tom Paine's Luck

Dear Sirs: Joseph Wood Krutch, in his admirable review of "Tom Paine," by Hesketh Pearson, in *The Nation* of February 6, remarks, "Drink, so often the vice of those who permit themselves no other, got him [Paine] at last."

I once did a lot of research into Paine's life for a short biography I wrote, and I don't think (gosh, I don't like to think) it was drink that got him. That's one of the cracks about Paine that were revived by the late Theodore Roosevelt, who called the clean, well-set-up, agnostic Thomas "a dirty little atheist."

Anyone who has ever been a press agent for radicals knows why Paine went to the bottle. After he had spent the best part of his life running himself ragged for all sorts of "cause committees" he tried, when the cause was won, to collect his meager pay, and Congress left him flat. He had one lucky break, however. If he had been a Founding Father in modern Russia he would probably have been shot. And then Duranty would have blamed it on Dostoevski.

MCALISTER COLEMAN

New York, February 9

We Apologize

Dear, Dear Sirs: It was the *Walrus* who wept!

LENORE PELHAM

Cambridge, Mass., February 2

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